

**BOARD OF COUNTY COMMISSIONERS
ZONING HEARINGS
THURSDAY, SEPTEMBER 26, 2013**

PLACE OF MEETING: COUNTY COMMISSIONERS CHAMBERS
OF THE STEPHEN P. CLARK CENTER – 2ND FLOOR
111 NW 1 STREET, MIAMI

TIME OF MEETING 9:30 A.M.

<u>CURRENT</u>		<u>HEARING #</u>	<u>DISTRICT</u>
1.	<u>ZACHARY BASS, ET AL, TRUSTEES</u>	13-004	2
Request(s):	The applicant is requesting to vacate a firearms training range and plans pertaining to the range that were approved pursuant to prior resolutions and the deletion of a covenant that restricted the use of the subject property to an office building and a rifle and pistol range.		
Location:	13525 NE 2 Court, Miami-Dade County, Florida. Within the Urban Development Boundary (UDB)		
2.	<u>DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES</u>	13-041	2,5,6
Request(s):	The applicant is requesting a district boundary change from IU-1, Light Industrial District, IU-2, Heavy Industrial District, and IU-3, Unlimited Industrial District, to Palmer Lake Metropolitan Urban Center (PLMUC).		
Location:	Lying generally North of NW 20 th Street and the Tamiami Canal, east of the Seaboard Air Line Railroad and south of the Miami River, Miami-Dade County, Florida. Within the Urban Development Boundary (UDB)		
3.	<u>VENETIAN LENNAR, LLC AND VENETIAN BY LUXCOM, LLC</u>	13-054	9
Request(s):	The applicant is seeking to modify a previously approved declaration of restrictions in order to reflect the modified area of land that the Miami-Dade County Parks and Recreation Department has agreed to accept for the park purposes and to delete a superseded declaration of restrictions.		
Location:	SW 149 Avenue and SW 157 Avenue, between SW 172 Terrace and SW 178 Terrace, Miami-Dade County, Florida. Within the Urban Development Boundary (UDB)		



Official Zoning Agenda

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSION MEETING OF THURSDAY, SEPTEMBER 26, 2013

NOTICE: THE FOLLOWING HEARING IS SCHEDULED FOR 9:30 A.M., AND

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMISSION SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMISSION BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE COMMISSION BE GRANTED BY THE MAJORITY VOTE OF THE COMMISSION MEMBERS PRESENT.

NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE COMMISSION CHAMBER. PERSONS EXITING THE COMMISSION CHAMBER SHALL DO SO QUIETLY.

THE USE OF CELL PHONES IN THE COMMISSION CHAMBERS IS NOT PERMITTED. RINGERS MUST BE SET TO SILENT MODE TO AVOID DISRUPTION OF PROCEEDINGS. INDIVIDUALS, INCLUDING THOSE ON THE DAIS, MUST EXIT THE CHAMBERS TO ANSWER INCOMING CELL PHONE CALLS. COUNTY EMPLOYEES MAY NOT USE CELL PHONE CAMERAS OR TAKE DIGITAL PICTURES FROM THEIR POSITIONS ON THE DAIS.

THE NUMBER OF FILED PROTESTS AND WAIVERS ON EACH APPLICATION WILL BE READ INTO THE RECORD AT THE TIME OF HEARING AS EACH APPLICATION IS READ.

THOSE ITEMS NOT HEARD PRIOR TO THE ENDING TIME FOR THIS MEETING, WILL BE DEFERRED TO THE NEXT AVAILABLE ZONING HEARING MEETING DATE FOR THIS BOARD.

SWEARING IN OF WITNESS

1. ZACHARY BASS, ET AL, TRUSTEES 13-9-CC-1 (13-04)

**19-52-42
BCC/Dist. 2**

- (1) VACATION of an Indoor Firearms Training Range Request and plans approved pursuant to Resolutions Z-169-76 & Z169A-76, both passed and adopted by the Board of County Commissioners.
- (2) DELETION of Declaration of Restrictions, recorded in Official Records Book 9555 Pages 1889 -1891.

The purpose of the above requests is to vacate a previously approved indoor firearms training range and delete approved plans showing the range and to delete a declaration restricting the second floor to an indoor rifle and pistol range only in order to allow the continued use of an existing religious facility.

LOCATION: 13525 NE 2 Court, Miami-Dade County, Florida

SIZE OF PROPERTY: 1.06 Acres

Department of Regulatory and
Economic Resources
Recommendation:

Approval.

Protests: 0

Waivers: 0

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE

DEFERRED: _____

**2. DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES 13-9-CC-2 (13-41) 28-53-41
BCC/Dist. 2, 5 & 6**

DISTRICT BOUNDARY CHANGE from IU-1, IU-2 and IU-3 to Palmer Lake Metropolitan Urban Center (PLMUC).

LOCATION: Lying generally north of NW 20th Street and the Tamiami Canal, east of the Seaboard Air Line Railroad and south of the Miami River, Miami-Dade County, Florida.

SIZE OF PROPERTY: 220 Acres +/-

Developmental Impact Committee
Recommendation:

Approval.

Protests: _____ 0 _____

Waivers: _____ 0 _____

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE

DEFERRED: _____

**3. VENETIAN LENNAR, LLC & VENETIAN BY LUXCOM, LLC 13-9-CC-3 (13-54) 33-55-39
BCC/Dist. 9**

- (1) MODIFICATION of Paragraph #10 of a Declaration Restrictions Recorded in Official Records Book 25739, Pages 2130-2175, reading as follows:

From: "(10) **Park Sites Dedication and Improvements.** Prior to the approval of a final plat for the Property, the Owner agrees to proffer a separate instrument in favor of Miami-Dade County for the dedication of up to a total of +/- 6.00 acres of land (the "Park Sites") for public parks purposes, all as depicted on the Plan. The Park Sites shall be cleared, filled, and sodded. in addition, included in the Park Sites is a +/- 4.00 acre park site located on the northwest corner of the Property, which park site shall be improved with a walking path, benches, a gazebo, and street trees planted 35 feet on center, all pursuant to a plan approved by the Parks and Recreation Department.

The Owner's obligations to improve the Park Sites are specifically subject to, and contingent on, the receipt of the approval of the Director of the Parks and Recreation Department of a credit for the cost of the improvements against the improvement component of the total parks impact fees that will be assessed against the future development of the Property."

In the event the Park Sites are not acceptable by the County, unless the County approves otherwise, the Park Sites shall be maintained as open space through a homeowners association, special taxing district or community development district, subject to the approval of such special taxing district or community development district by the County.

TO: "(10) **Park Sites Dedication and Improvements.** Prior to the approval of a final plat for the Property, the owner agrees to proffer a separate instrument in favor of Miami-Dade County for the dedication of up to a total of +/- 4.00 acres of land (the "Park Site") for public park purposes, all as depicted on the Plan. The Park Site shall be cleared, filled, and sodded. The Park Site is located on the northwest corner of the Property, which park site shall be improved with a walking path, benches, a gazebo, and street trees planted 35 feet on center, all pursuant to a plan approved by the Parks and Recreation Department.

The Owner's obligations to improve the Park Site are specifically subject to, and contingent on, the receipt of the approval of the Director of the Parks and Recreation Department of a credit for the cost of the improvements against the improvement component of the total parks impact fees that will be assessed against the future development of the Property.

In the event the Park Site is not acceptable by the County, unless the County approves otherwise, the Park Site shall be maintained as open space through a homeowners association, special taxing district or community development district, subject to the approval of such special taxing district or community development district by the County.

The purpose of the request is to reduce the amount of acreage to be dedicated to the Miami-Dade County Parks and Recreation Department from +/-6.00 acres of multiple park sites to a single +/-4.00 acres park site located on the northwest corner of the property, adjacent to SW 157 Avenue.

- (2) DELETION of a Declaration of Restrictions recorded in Official Records Book 14792, Pages 1428-1440.

The purpose of the request is to release the Declaration of Restrictions since it was superseded by a subsequent zoning action pursuant to Resolution CZAB11-15-07.

LOCATION: Between SW 149 Avenue & SW 157 Avenue and between SW 172 Terrace & SW 178 Terrace, Miami-Dade County, Florida.

SIZE OF PROPERTY: 120 +/- Acres

Department of Regulatory and
Economic Resources
Recommendation:

Approval with conditions, subject to the
acceptance of the revised covenant.

Protests: 0

Waivers: 0

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE

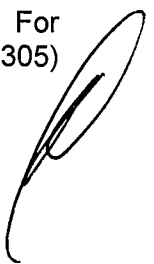
DEFERRED: _____

T H E E N D

NOTICE OF APPEAL RIGHTS

Decisions of the Community Zoning Appeals Board (CZAB) are appealed either to Circuit Court or to the Board of County Commissioners (BCC) depending upon the items requested in the Zoning Application. Appeals to Circuit Court must be filed within 30 days of the transmittal of the CZAB resolution. Appeals to BCC must be filed with the Zoning Hearings Section of the Department of Regulatory and Economic Resources (RER), within 14 days of the posting of the results in the department.

Further information and assistance may be obtained by contacting the Zoning Hearings Section for the Department of Regulatory and Economic Resources (RER), at (305) 375-2640. For filing or status of Appeals to Circuit Court, you may call the Clerk of the Circuit Court at (305) 349-7409.

A handwritten signature in black ink, consisting of a stylized, cursive letter 'P' followed by a long, sweeping horizontal stroke.

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to Board of County Commissioners**

PH: Z13-004 (13-9-BCC-1)

September 26, 2013

Item No. 1

Recommendation Summary	
Commission District	2
Applicants	Zachary Bass, Et Al
Summary of Requests	The applicant is requesting to vacate a firearms training range and plans pertaining to the range that were approved pursuant to prior resolutions and the deletion of a covenant that restricted the use of the subject property to an office building and a rifle and pistol range.
Location	13525 NE 2 Court, Miami-Dade, County, Florida
Property Size	1.06 acres
Existing Zoning	BU-1A
Existing Land Use	Religious facility
2015-2025 CDMP Land Use Designation	Business and Office (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311 (A)(7) General Modification Standards (see attached Zoning Recommendation Addendum)
Recommendation	Approval.

REQUESTS:

1. VACATION of an Indoor Firearms Training Range request and plans approved pursuant to Resolutions Z-169-76 & Z-169A-76, both passed and adopted by the Board of County Commissioners.
2. DELETION of Declaration of Restrictions, recorded in Official Record Book 9555, Pages 1889 – 1891.

The purpose of the above requests is to vacate a previously approved indoor firearms training range and delete approved plans showing the range; and to delete a declaration restricting a second floor to an indoor rifle and pistol range only in order to allow the continued use of an existing religious facility.

PROJECT DESCRIPTION AND HISTORY: The subject property was approved by the Board of County Commissioners (BCC) pursuant to Resolutions Nos. Z-169-76 and Z-169A-76, to permit an indoor firing range on the second floor and ancillary office uses on the first floor. As a condition for approval, the applicants also proffered a covenant restricting the use of the property only to the office use on the ground floor and the pistol and rifle range on the second floor. Said covenant also stipulated that the covenant could only be released by the BCC.

Subsequently, pursuant to Resolution Nos. #Z-179-79 and Z-161-87, the subject property was rezoned to BU-1A, Limited Business District and permitted for a church use, respectively. However, said resolutions did not release the subject property from the 1976 resolutions or the restrictive covenant that was proffered at that time. Consequently, this application seeks to vacate the 1976 resolutions and the covenant that restricted the use to an indoor firing range and office use.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
	Zoning and Existing Use	Land Use Designation
Subject Property	BU-1A; religious facility	Business and Office Low-Density Residential (2.5 to 6 dua)
North	RU-3M; vacant land	Low-Medium Density Residential (6 to 13 dua)
South	City of North Miami; vacant land	Business and Office
East	City of North Miami; condominium	Low-Medium Density Residential (6 to 13 dua)
West	BU-1; office, retail uses	Business and Office

NEIGHBORHOOD COMPATIBILITY:

The subject property is currently occupied by a religious facility and is surrounded by existing multi-family residential uses to east, commercial retail uses to west and vacant parcels to the north and south.

SUMMARY OF THE IMPACTS:

The approval of the application would result in the removal of the more intensive gun and rifle range use from the property, which could have a positive aural impact on the surrounding area.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The subject property is designated for **Business and Office** use on the Comprehensive Development Master Plan (CDMP) Land Use Plan map. *This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas.*

The applicants seek to vacate the request for an indoor firearms training range and the training range plans that were approved pursuant to Resolutions Z-169-76 & Z169A-76 (request #1). Additionally the applicants seek to delete a covenant that restricted the use of the subject property to an office use and the pistol/rifle range use on the second floor of the building. Staff notes that the existing two-story building is currently being used as a religious facility. Staff opines that the approval of the application would allow the current use of the property as a religious facility to continue without restrictions. Also, the vacation of the prior resolutions (request #1) and the removal of the restrictive covenant (request #2) would allow the property to be considered for the uses allowed under the CDMP Land Use Element Business and Office designation as well the uses permitted in the BU-1A zoning district.

Staff notes that the properties located to the west are already developed with office and retail uses and the properties to the south and southwest abutting NE 135 Street, are located within the City of North Miami and based on the Property Appraiser's records, are designated for

commercial and retail uses similar to the subject property. However, the property to the east contains a residential condominium use. Staff opines that the removal of the restriction that the property be used only as a pistol and rifle range would allow the property to be used for less intensive commercial and retail and institutional uses such as the existing religious facility, that provide a reasonable transition to the residential uses located to the east.

Therefore, staff opines that the proposed vacation of the requests from prior resolutions (request #1) and the deletion of a covenant pertaining to the use of the property (request #2), are **consistent** with the CDMP Land Use Plan map and land use Element interpretative text for the **Business and Office** designation for the subject property.

ZONING ANALYSIS:

When requests #1 and #2 to vacate the requests and plans approved in prior resolutions and to delete the covenant that restricted the use of the property to the gun range and office use approved in said resolutions are analyzed under Section 33-311(A)(7) Generalized Modification Standards, staff opines that approval of these requests would be **compatible** with the area based on the reasons stated below. Approval of the requests will delete all references to the gun and rifle range that was approved pursuant to Resolution Nos. Z-169-76 and Z-169A-69, and further stated in a declaration of restrictions recorded in ORD 9555, Pages 1889 – 1891. As previously stated, approval of the requests will allow the continued use of the property as a religious facility and future development under the BU-1A zoning district standards, so long as the development is consistent with the CDMP LUP map designation and interpretative text for Business and Office.

Based on the memoranda from the Departments reviewing the application, and for the reasons stated above, staff opines that approval of requests #1 and #2 will not result in excessive noise or traffic, cause undue or excessive burden on public facilities, nor provoke excessive overcrowding and concentration of people, when considering the necessity for and reasonableness of the applied for exception in relation to the present and future development of the area and the compatibility of the applied for exception with the area and its development. Staff, therefore, opines that for the reasons that were previously noted, approval of the applicants' request to vacate the indoor firearms training range request and plans approved pursuant to Resolution Nos. Z-169-76 and Z169A-76, both passed and adopted by the Board of County Commissioners (request #1), and to delete the Declaration of Restrictions, recorded in Official Record Book 9555, Pages 1889 – 1891, pertaining to the firearms range (request #2), will be **compatible** with the area. **As such, staff recommends approval of requests #1 and #2 under Section 33-311(A)(7) Generalized Modification Standards.**

ACCESS, CIRCULATION AND PARKING: No plan submitted.

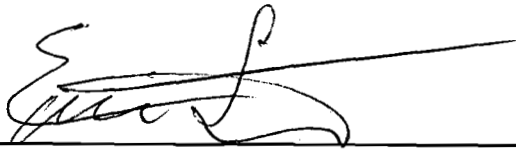
NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION: Approval.

CONDITIONS FOR APPROVAL: None.

ES:MW:NN:AN:CH

A handwritten signature in black ink, appearing to read 'Eric Silva', written over a horizontal line.

Eric Silva, AICP, Assistant Director
Development Services Division
Miami-Dade County
Department of Regulatory and Economic Resources

NN

ZONING RECOMMENDATION ADDENDUM

Zacharry Bass, Et Al
Z13-004

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resource Management (RER)	No objection
Platting and Traffic Review Section (RER)	No objection
Parks, Recreation and Open Spaces	No objection
Fire Rescue	No objection
Police	No objection
Schools	No objection
*Subject to conditions in their memorandum.	

COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

Business and Office (Pg. I-41)	<i>This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Also allowed are telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant to Land Use Element Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.</i>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311(A)(7) Generalized Modification Standards.	<i>The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.</i>
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ZONING RECOMMENDATION ADDENDUM

Zacharry Bass, Et Al
Z13-004

Section 33- 314 Direct applications and appeals to the County Commission.	<p>(C) <i>The County Commission shall have jurisdiction to directly hear other applications as follows:</i></p> <p style="text-align: center;">* * *</p> <p>(3) <i>Applications to modify or eliminate any provision of restrictive covenants, or part thereof, accepted at public hearing, where the covenant provides that only the Board of County Commissioners may modify or eliminate the provisions of such covenant.</i></p>
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1. ZACHARY BASS, ET AL, TRUSTEES
(Applicant)

13-9-CC-1 (13-004)
Area BCC/District 02
Hearing Date: 09/26/13

Property Owner (if different from applicant) **Same.**

Is there an option to purchase ☐ /lease ☐ the property predicated on the approval of the zoning request? Yes ☐ No ☒

If so, who are the interested parties?

Disclosure of interest form attached? Yes ☒ No ☐

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1976	North Miami Police Benevolent Association, Inc.	- Unusual Use indoor firearms training range.	BCC	Approved with Condition(s)
1976	North Miami Police Benevolent Association, Inc.	- Unusual Use indoor firearms training range.	BCC	Approved with Condition(s)
1979	North Miami Police Benevolent Association, Inc.	- Zone change from RU-3M to BU-1A.	BCC	Approved with Condition(s)
1987	North Miami Police Benevolent Association	- Use Variance for Church. - Variance of lot size.	BCC	Approved with Condition(s)


Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

Memorandum



Date: August 19, 2013

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources 

Subject: BCC #Z2013000004
Trustee for Uleta Congregation of Jehovah's Witnesses
13525 N.E. 2nd Court
Deletion of a covenant that restricted the use of the second floor to
an indoor rifle and pistol range for a previously approved religious
facility.
(BU-1A) (1.06 Acres)
195242

The subject application has been reviewed by the Department of Regulatory and Economic Resources-Division of Environmental Resources Management (DERM) for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

DERM has no pertinent comments regarding this application since the request does not entail any environmental concern. Be advised that any future development will have to comply with sewer connection and/or sewage loading requirements as per the Code.

Concurrency Review Summary

A concurrency review has been conducted for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute written approval as required by Chapter 24 of the Code.

If you have any questions concerning the comments or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.


cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: May 1, 2013

To: Eric Silva, Assistant Director
Department of Regulatory and Economic Resources

From:  Raul A. Pino, PLS, Chief
Platting and Traffic Review Section
Department of Regulatory and Economic Resources

Subject: Z2013000004
Name: Zachary Bass, Wendell Exclusa & Marvin Genus (TRS)
Location: 13523 NE 2 Ct.
Section 19 Township 52 South Range 42 East

The Department of Regulatory and Economic Resources Platting and Traffic Review Section has reviewed the subject application and has no objections.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. Any right-of-way dedications and/or improvements required will be accomplished thru the recording of a plat.

This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This application meets the traffic concurrency criteria set for an Initial Development Order.

Memorandum



Date: August 1, 2013

To: Jack Osterholt, Deputy Mayor
Director, Regulatory and Economic Resources Department

From: Maria I. Nardi, Chief *M. I. Nardi*
Planning and Research Division
Parks, Recreation and Open Spaces Department

Subject: Z2013000004: ZACHARY BASS, WENDELL EXCLUSA & MARVIN GENUS (TRS)

Application Name: ZACHARY BASS, WENDELL EXCLUSA & MARVIN GENUS (TRS)

Project Location: The site is located at 13525 NE 2 CT, Miami-Dade County.

Proposed Development: The request is for approval or deletion of a covenant restricting the second floor to an indoor rifle and pistol range. The property is used for a church and is continuing to do so, rendering the restriction unnecessary.

Impact and demand: This application does not generate any new residential population applicable to CDMP Open Space Spatial Standards.

Recommendation: PROS has no pertinent comments for this application concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review. Based on our findings described herein **PROS HAS NO OBJECTION TO THIS APPLICATION.**

If you need additional information or clarification on this matter, please contact John Bowers at (305) 755-5447.

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor

Memorandum



Date: 16-AUG-13
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2013000004

Fire Prevention Unit:

Not applicable to MDFR site requirements

Service Impact/Demand:

Development for the above Z2013000004
located at 13525 NE 2 CT, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 1257 is proposed as the following:

<u>N/A</u> residential	dwelling units	<u>N/A</u> industrial	square feet
<u>N/A</u> Office	square feet	<u>N/A</u> institutional	square feet
<u>N/A</u> Retail	square feet	<u>N/A</u> nursing home/hospitals	square feet

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 5:24 minutes

Existing services:

The Fire station responding to an alarm in the proposed development will be:
Station 2 - Model Cities - 6460 NW 27 Avenue
Rescue 1, Rescue 2, BLS 60' Aerial, Battalion 5

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:
None.

Fire Planning Additional Comments:

Not applicable to service impact analysis.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department Planning Section at 786-331-4540.

DATE: 09-SEP-13

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND
CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE

ZACHARY BASS, ET AL, TRUSTEES

13525 NE 2 CT, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2013000004

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC: No open/closed cases. BNC: No bss cases open/closed.

Zachary Bass Et Al

**OUTSTANDING FINES, PENALTIES, COST OR LIENS
INCURRED PURSUANT TO CHAPTER 8CC:**

REPORTER NAME:

DISCLOSURE OF INTEREST*

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: _____

NAME AND ADDRESS

Percentage of Stock

ZONING DEPT.
MIAMI-DADE PLANNING & ZONING DEPT.
BY:

If a TRUST or ESTATE owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME Zachary Bass Trust for Uleta Jehorah's Writings not for profit

NAME AND ADDRESS

Percentage of Interest

<u>Zachary Bass</u>	<u>0</u>
<u>Wendell Excluse</u>	<u>0</u>
<u>Egbert Purcell</u>	<u>0</u>

Property is wholly owned by Congregation

100%

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

NAME AND ADDRESS

Percentage of Ownership

If there is a CONTRACT FOR PURCHASE, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests]

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

213-004

BY ALL

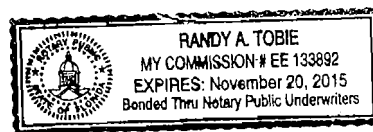
NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature X Zachary Barr
(Applicant)

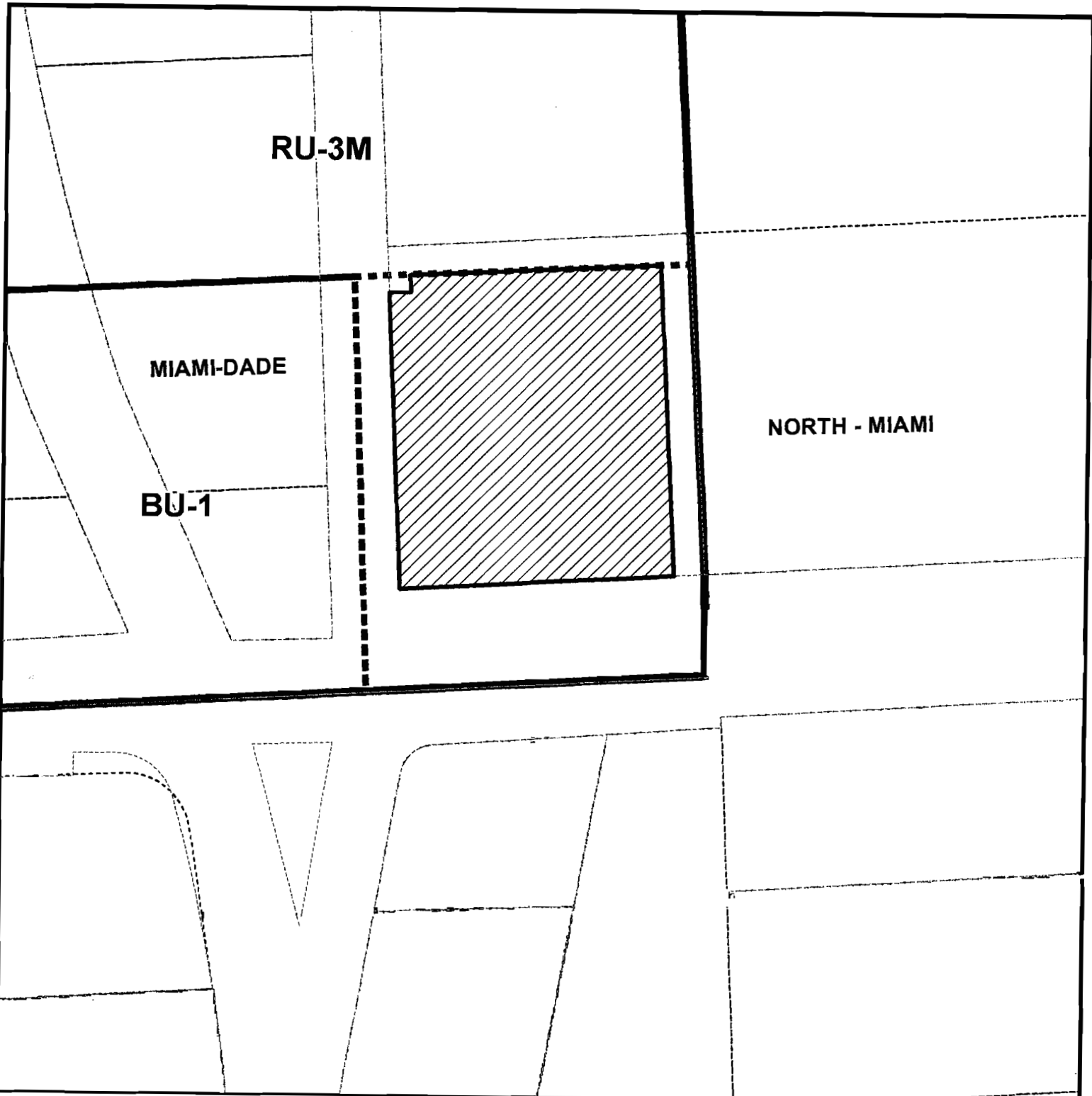
Sworn to and subscribed before me this 12th day of December 2012. Affiant is personally known to me or has produced _____ as identification.

Kandy A. Tobie
(Notary Public)



My commission expires. _____

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2013000004

Section: 19 Township: 52 Range: 42
Applicant: ZACHARY BASS, ET AL, TRUSTEES
Zoning Board: BCC
Commission District: 2
Drafter ID: JEFFER GURDIAN
Scale: NTS

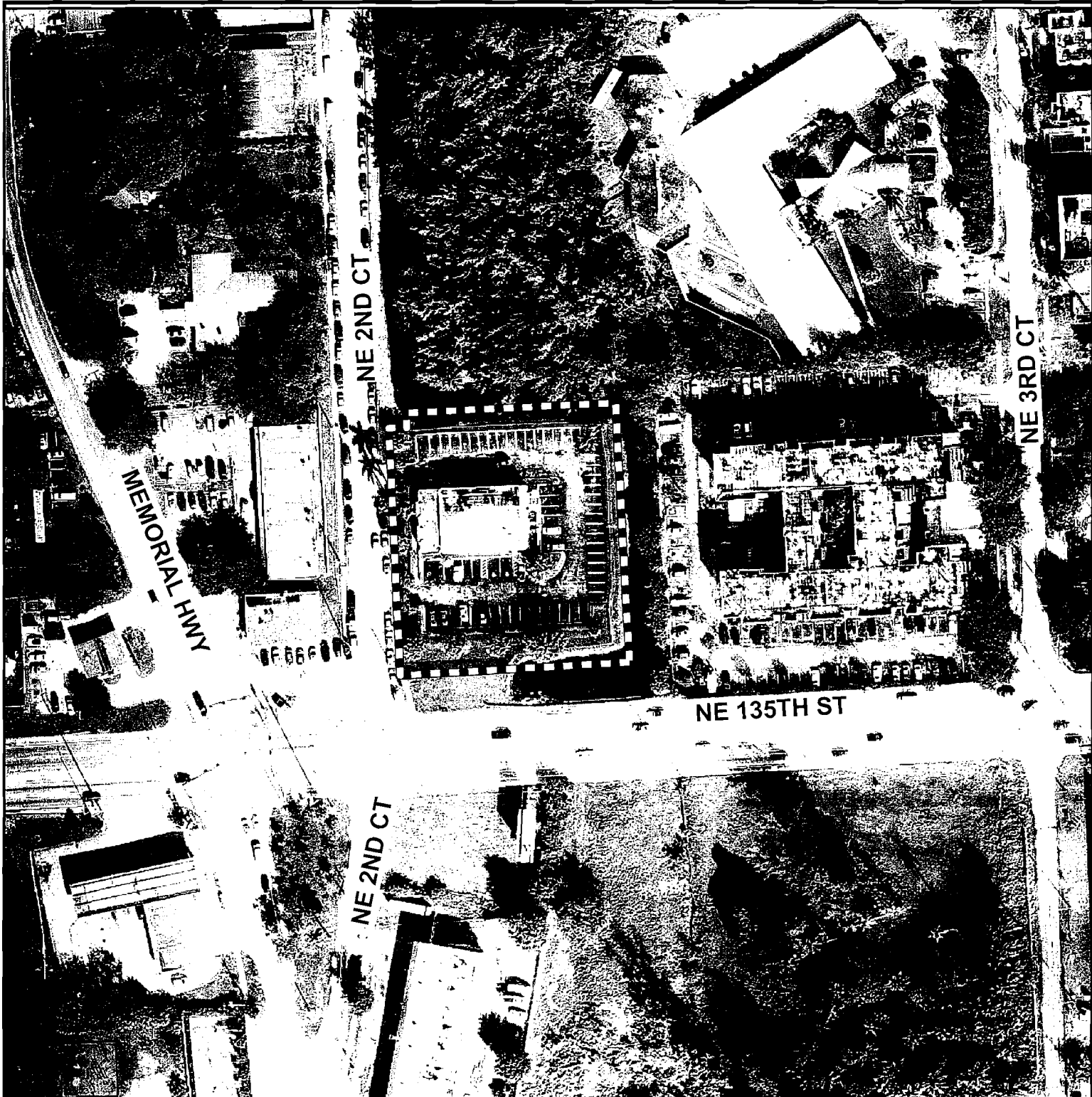
Legend

 Subject Property Case



SKETCH CREATED ON: Thursday, August 22, 2013

REVISION	DATE	BY
		15



MIAMI-DADE COUNTY

Process Number

AERIAL YEAR 2012

Z2013000004



Section: 19 Township: 52 Range: 42

Applicant: ZACHARY BASS, WENDELL EXCLUSA & MARVIN GENUS (TRS)

Zoning Board: BCC

Commission District: 2

Drafter ID: JEFFER GURDIAN

Scale: NTS

Legend

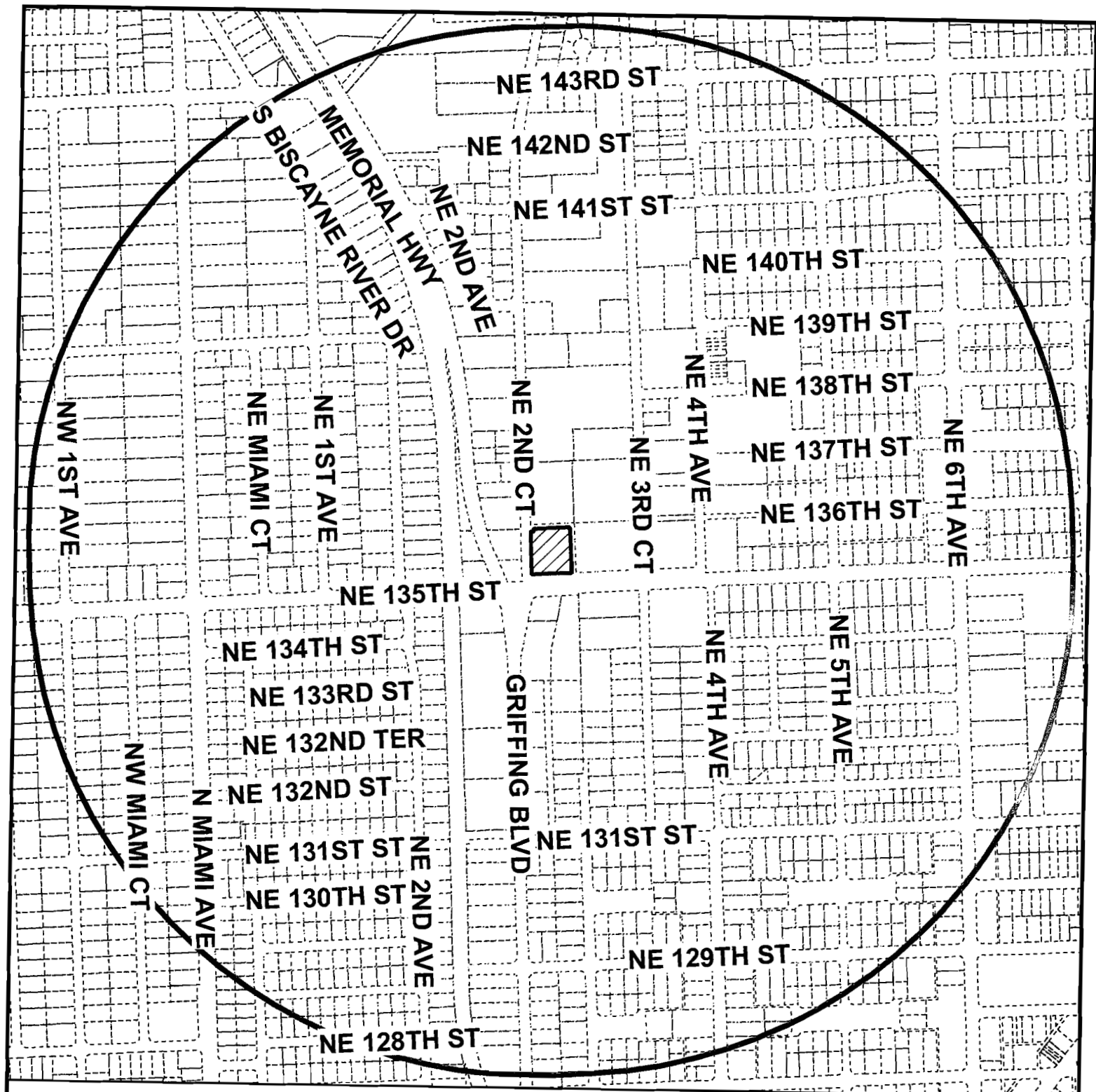


Subject Property

MIAMI-DADE

SKETCH CREATED ON: Friday, January 25, 2013

REVISION	DATE	BY
		16



**MIAMI-DADE COUNTY
RADIUS MAP**

Process Number

Z2013000004

RADIUS: 2640

Section: 19 Township: 52 Range: 42

Applicant: ZACHARY BASS, WENDELL EXCLUSA & MARVIN GENUS (TRS)



Zoning Board: BCC

Commission District: 2

Drafter ID: JEFFER GURDIAN

Scale: NTS

Legend

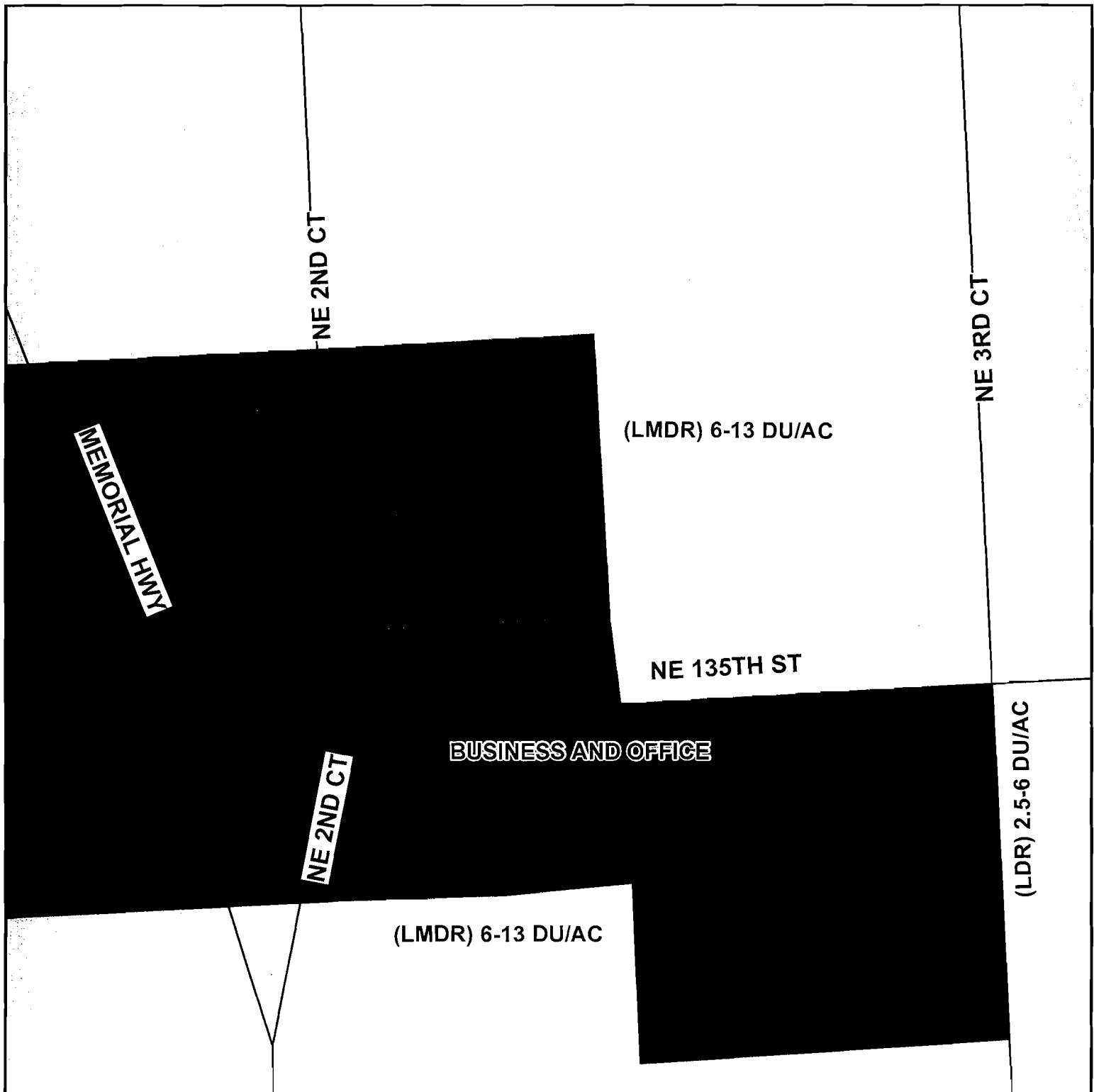
-  Subject Property
-  Buffer

**MIAMI-DADE
COUNTY**



SKETCH CREATED ON: Friday, January 25, 2013

REVISION	DATE	BY
		107



MIAMI-DADE COUNTY
CDMP MAP

Process Number
Z2013000004



Section: 19 Township: 52 Range: 42
 Applicant: ZACHARY BASS, WENDELL EXCLUSA & MARVIN GENUS (TRS)
 Zoning Board: BCC
 Commission District: 2
 Drafter ID: JEFFER GURDIAN
 Scale: NTS

Legend

 Subject Property Case



SKETCH CREATED ON: Friday, January 25, 2013

REVISION	DATE	BY

Memorandum



Date: September 26, 2013

To: Board of County Commissioners

From: Developmental Impact Committee
Executive Council

Subject: Developmental Impact Committee Recommendation

APPLICANT: Department of Regulatory and Economic Resources (Z13-041)

SUMMARY OF REQUEST:

The applicant is requesting a district boundary change from IU-1, Light Industrial District, IU-2, Heavy Industrial District, and IU-3, Unlimited Industrial District, to Palmer Lake Metropolitan Urban Center (PLMUC).

LOCATION: Generally located North of NW 20th Street and the Tamiami Canal, east of the Seaboard Air Line Railroad and south of the Miami River, Miami-Dade County, Florida

COMMENTS:

This application went before the Developmental Impact Committee due to the size of the application. Section 33-303.1(D)(7) of the Code of Miami-Dade County charges the Developmental Impact Committee (DIC) to address applications with respect to: (I) conformance with all applicable plans; (II) environmental impact; (III) impact on the economy; (IV) impact on essential services; and (V) impact on public transportation facilities and accessibility.

The meeting of the DIC Executive Council was held on July 30, 2013 and the attached Department memoranda were reviewed and considered by said Committee.

DIC RECOMMENDATION:

Approval, as set forth in the Department of Regulatory and Economic Resources' recommendation.

The Executive Council is of the opinion that this application will be in keeping with the Comprehensive Development Master Plan designation for the subject property. In addition, the Council found that the approval of this application will not be contrary to the public interest, is in keeping with the spirit of the regulations, and will permit the reasonable use of the premises. As such, the Executive Council finds that approval of this application will be **consistent** with the CDMP and **compatible** with the surrounding area.

APPLICATION NO. Z13-41
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES

Respectfully Submitted,

DIC Executive Council
July 30, 2013

William Bryson, Fire Chief
Miami-Dade Fire Rescue Department

Absent

Eric Silva, AICP
Sustainability, Planning and Economic Enhancement
Department



AYE

Kathleen Woods-Richardson, Director
Public Works Department

Absent

Jose Gonzalez, P.E., Assistant Director
Department of Environmental Resources Mgmt



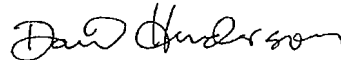
AYE

Bertha M. Goldenberg, Assistant Director
Miami-Dade Water and Sewer Department




AYE

David Henderson, Bicycle/Pedestrian Specialist
Metropolitan Planning Organization



AYE

John Bowers, Parks Property Management Supervisor
Parks, Recreation and Open Spaces



AYE

**Miami-Dade County Department of Regulatory and Economic Resources
Developmental Impact Committee (DIC)
Recommendation to the Board of County Commissioners**

PH: Z13-041

DIC Date: July 24, 2013

Recommendation Summary	
Commission District	2, 5, 6
Applicant	Miami-Dade County Department of Regulatory and Economic Resources
Summary of Requests	The applicant is seeking to rezone the Palmer Lake area to PLMUC (Palmer Lake Metropolitan Urban Center).
Location	North of NW 20th Street and the Tamiami Canal, east of the Seaboard Air Line Railroad and south of the Miami River, Miami-Dade County, Florida
Property Size	220-acres
Existing Zoning	IU-1, IU-2 and IU-3
Existing Land Use	Commercial, Industrial, Transient Residential, Vacant Land
2015-2025 CDMP Land Use Designation	Metropolitan Urban Center, Industrial and Office, Transportation, Terminals, Low-Density Residential (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311 District Boundary Change Section 33-303.1(D)(7) Developmental Impact Committee (see attached Zoning Recommendation Addendum)
Recommendation	Approval

REQUEST:

DISTRICT BOUNDARY CHANGE from IU-1, IU-2, IU-3 to PLMUC (Palmer Lake Metropolitan Center)

PROJECT DESCRIPTION: N/A

NEIGHBORHOOD CHARACTERISTICS:

The subject property is generally located north of NW 20th Street and the Tamiami Canal, east of the Seaboard Air Line Railroad and south of the Miami River. Industrial and business uses characterize the area. A portion of the subject property is occupied by the Miami Intermodal Center.

	Zoning and Existing Use	Land Use Designation
Subject Property	IU-1, IU-2, IU-3; occupied by various business uses, industrial uses, auto-related uses, marine-related uses, and vacant land.	Metropolitan Urban Center, Industrial and Office, Transportation, Terminals, Low-Density Residential
North and East	IU-1, IU-2; industrial development, vacant land	Industrial & Office
South	RU-1, IU-1, IU-2; single-family residences office uses, industrial development	Low Density Residential (2.5 to 6 du/a), Industrial and

Zoning and Existing Use		Land Use Designation
		Office
West	IU-2, IU-3	Industrial and Office, Terminals, Transportation

SUMMARY OF THE IMPACTS:

The approval of this application will allow for the development of a mixed-use commercial-residential-industrial district that supports the county's investment in the transportation facilities located at the Miami Intermodal Center.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The subject property is designated as a **Metropolitan Urban Center** and portions thereof designated **Industrial and Office, Transportation, Terminals, and Low-Density Residential** on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. The CDMP Land Use Element interpretive text for Metropolitan Urban Centers (MUC) states that a variety of uses is allowed, including retail, office, service, restaurant, hotel, institutional, recreational, cultural, entertainment, and residential uses; the incorporation of residential uses is encouraged, particularly along rapid transit lines and where there exists much more commercial development than residential development. The Palmer Lake Metropolitan Urban Center (PLMUC) district allows retail, office, hotel, residential and industrial uses consistent with these provisions. As the Palmer Lake area is adjacent to the Miami International Airport Metrorail Station and the Miami Central Station Tri-Rail and Amtrak terminal, residential uses would be permitted in proximity to these rapid transit facilities where there is no existing residential development. The PLMUC district development standards also implement the CDMP Urban Centers requirements for streets, open spaces, parking, and buildings.

As shown in the table below, anticipated development in the application area is within the limits of the CDMP. In Urban Centers, the CDMP provides for tiered development intensities with an average minimum FAR of 3.0 in the core and 0.75 FAR at the edge; residential development is limited to a maximum of 250 units per acre. The distribution of uses is based on those permitted by the PLMUC district and use limitations imposed by the Miami International Airport zoning overlay.

**Comprehensive Development Master Plan (CDMP) and Proposed
Palmer Lake Zoning Development Density/Intensity**

Use	CDMP Permitted Density/Intensity	Proposed Palmer Lake Zoning
Residential	24,205 units	1,281 units
Commercial/Office	7,519,342 sq. ft.	3,239,109 sq. ft.
Industrial	3,599,088 sq. ft.	2,552,770 sq. ft.

The CDMP permitted density and intensity in the above table was estimated by allocating 250 residential units/acre to the core and center areas and 75 units/acre to edge areas (identified by the PLMUC district as 'Riverside'); for non-residential intensity 3.0 FAR was allocated to the

core, 1.5 in the center, and 0.75 at the edge. No units were allocated in areas where the Miami International Airport zoning overlay limits the density of residential development.

The CDMP Port of Miami River Sub-element Policy PMR-1B states that the county shall promote the protection or inclusion of water dependent or water-related uses such as cargo shipping terminals and boat repair yards along the Miami River. The proposed rezoning implements this policy through a bonus system contained in the PLMUC district where additional hotel density is permitted on properties along the Miami River where shipping terminals, boat repair yards, and other similar uses are also located.

Service Provider Comments

The proposed rezoning has been reviewed by all of the service providers. Review comments provided at this time are primarily for information regarding the long term buildout of the Urban Center as there is no specific development proposal associated with this application. Development approval and impacts will be assessed as plats and site plans are submitted. A description of the development intensities analyzed and a summary of each department's comments are provided below.

Comparison of Existing Zoning and Proposed Palmer Lake Zoning

Use	Existing Zoning	Proposed Palmer Lake Zoning	Difference (Palmer Lake minus Existing)
Industrial	2,895,181 sq. ft.	2,552,770 sq. ft.	-342,411 sq. ft.
Office	772,048 sq. ft.	2,409,055 sq. ft.	+1,637,007 sq. ft.
Retail	0 sq. ft.	830,054 sq. ft.	+830,054 sq. ft.
Hotel	4,825 units	7,304 units	+2,479 units
Residential	0 units	1,281 units	+1,281 units

It should be noted that all of the department reviews were conducted at the projected buildout which would require a significant amount of redevelopment of existing uses and buildings. It is anticipated that most new development over the next 15 years will occur mainly on currently vacant land, land that was occupied by car rental facilities that have since relocated to the Miami Intermodal Center, or land that was the location of the Bertram yacht manufacturing facility. As of May 2013, there are 85 acres of land that meet one or more of these criteria within the application area. The estimated development capacity for this land is: Industrial, 1,190,671 sq. ft.; Office, 1,473,666 sq. ft.; Retail, 518,755 sq. ft.; Hotel, 4,390 units; Residential, 796 units.

Staff opines that approval of this application is **compatible** with the surrounding area and **consistent** with the CDMP LUP Map, Land Use Element interpretative text, Port of Miami River Sub-element, and relevant CDMP policies.

ZONING ANALYSIS:

When analyzing the request to rezone the Palmer Lake area from IU-1, IU-2, and IU-3 to PLMUC, under Section 33-311 of the Code, staff opines that the approval of this request would be **compatible** with commercial, industrial, residential, and public facility uses in the surrounding area and be **consistent** with the CDMP. **The proposed rezoning to PLMUC is necessary to implement the Board of County Commissioners-accepted Palmer Lake Charrette Area Plan, the adopted Palmer Lake Metropolitan Urban Center zoning district**

regulations (Ordinance No. 13-49) and applicable CDMP policies. Specific provisions in the PLMUC district that implement the aforementioned Palmer Lake Area Plan and CDMP policies allow or require: mixed uses, including retail, office, residential and industrial uses; industrial, water-dependent and water-related uses along the Miami River, Tamiami Canal and Palmer Lake; building standards that will require new buildings to be developed in an attractive pedestrian and transit supportive manner; street standards that will require future right-of-way improvements to provide for ample sidewalk areas and bicycle facilities, as well as encourage on-street parking areas and landscaping; reduced parking requirements for developments located in proximity to the Miami Intermodal Center and providing mixed uses and workforce housing units; landscape and open space standards; and pedestrian access to the Miami River, Tamiami Canal and Palmer Lake.

The PLMUC district regulations require that the Department of Regulatory and Economic Resources review plans for compliance with the site plan review criteria provided in Section 33-284.99.62 of the Zoning Code as part of the Administrative Site Plan Review (ASPR) process. Additionally, as part of the ASPR review process, the following departments of Miami-Dade County and other public entities shall review development plans for potential impacts on infrastructure and other services: the Public Works and Waste Management Department (PWWM); the Miami-Dade Fire Rescue Department (MDFR); the Miami-Dade County Public Schools (MDCPS); the Park and Recreation Department; and any other applicable agency. In the event the ASPR application indicates impacts on services and infrastructure provided by the above mentioned departments, the developer shall meet with the affected department or entity to discuss potential mitigation of the impacts, address the impacts, and shall submit evidence of such mitigation (if any) to the Department of Regulatory and Economic Resources. **Therefore, staff recommends approval of the request under Section 33-311 Standards for District Boundary Change.**

ACCESS, CIRCULATION AND PARKING: N/A

NEIGHBORHOOD SERVICES PROVIDER REVIEW:

Aviation

The Miami-Dade County Aviation Department (MDAD) **does not object** to this application provided that all proposed uses comply with applicable local, state, and federal aviation regulations including Chapter 33, Article XXXVII - Miami International Airport (Wilcox Field) Zoning.

Regulatory and Economic Resources (Division of Environmental Resources Management)

The Department of Regulatory and Economic Resources Division of Environmental Resources Management (DERM) **does not object** to this application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County.

Its memorandum indicates that the application area is located within the Miami-Dade Water and Sewer Department's water and sewer franchised service area. Pump station no. 30-0201 which serves the application area is currently under Conditional Moratorium. DERM can issue conditional sewer capacity certification for new development; however, Certificates of Occupancy or Certificates of Completion cannot be issued until this pump station is operating in compliance.

Class I permits will be required for any work in, on, over or upon tidal waters; work within coastal wetlands; or work to trim, cut, or alter mangrove trees within the application area. A Marine Facilities Operating Permit will be required for facilities providing: commercial boat docking; boat storage contiguous to tidal waters with ten (10) or more dry storage spaces; recreational boat docking with ten (10) or more slips, mooring, davits, or tie-up spaces.

Miami-Dade Fire Rescue

The Miami-Dade Fire Rescue Department (MDFR) **does not object** to this application. The department states that the estimated number of alarms would result in a significant impact on existing fire and rescue service facilities. The average travel time to the application area is greater than eight (8) minutes (based on 2012 data) which exceeds the national performance objective. MDFR is requesting that a two (2) acre site suitable for the construction of a new fire station be identified for donation to the department to serve the increased demand for fire and rescue service resulting from future development in the application area.

Parks, Recreation and Open Spaces

The Miami-Dade Parks, Recreation and Open Spaces Department (MDPROS) **has no objections** to this application. Approximately 7.43 acres of additional local park space need would be generated by the estimated future development in the application area. This park space need can be accommodated by Park Benefit District 1 which has a surplus capacity of 310.91 acres.

Miami-Dade Police Department

The Miami-Dade Police Department (MDPD) **has no objections** to this application. Additional sworn personnel, support staff, and equipment will be required to maintain current levels of service as future development occurs in the application area.

Public Works and Waste Management Department

The Public Works and Waste Management Department (PWWM) Traffic Engineering Division (TED) **does not object** to this application. Its memorandum indicates that the application area is located within the Urban Infill Area and concurrency approval will be granted. The projected Level of Service (LOS) on roadways affected by trips generated by this application are within the adopted LOS established by the CDMP Transportation Element. The projected LOS indicated in the TED memorandum does not consider trips that can be accommodated by the transit services provided at the Miami Intermodal Center or trips that are captured internally due to the anticipated mixed-use nature of future development. It is estimated that the total number of trips would be reduced by 12.17 percent due to transit and internal capture. Traffic impact studies will be required when Administrative Site Plan Review (ASPR) or plat applications are submitted.

The PWWM Fiscal Planning and Performance Management Division **has no objections** to this application. Future development in the application area will be required to contract with a private waste collection service for subsequent waste disposal at a PWWM facility.

Water and Sewer Department

The Miami-Dade County Water and Sewer Department (MDWASD) **does not object** to this application. Public water mains and sanitary sewers exist throughout the area. As future development occurs in the application area, existing water and sewer infrastructure may need to be upgraded. All development will be evaluated on a case-by-case basis to determine the water main, fire hydrant, and sewer infrastructure needs for each individual project.

Miami-Dade Transit Department

The Miami-Dade Transit Department (MDT) **has no objections** to this application. Its memorandum indicates that there is transit service in the immediate vicinity of the application area provided by Metrobus routes J, 7, 37, 42, 57, 150 (Airport Flyer) and 238 (East-West Connection) and Metrorail service at the Miami International Airport station. Both Metrobus and Metrorail provide 30-minute or better AM/PM peak-hour headway within the Palmer Lake area. Therefore, this application meets the adopted mass transit level of service standards as prescribed by the CDMP Mass Transit Sub-element Policy MT-1A.

Miami-Dade County Public Schools

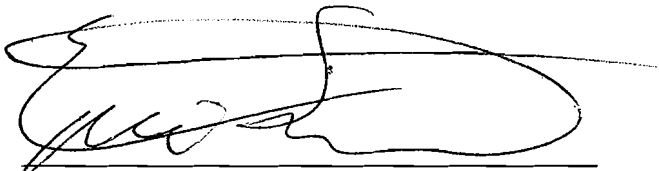
Miami-Dade County Public Schools **does not object** to this application. A final determination of Public School Concurrency and capacity reservation will be made as individual developments are submitted for final plat, site plan, or functional equivalent.

OTHER: Not applicable.

RECOMMENDATION: Approval

CONDITIONS FOR APPROVAL: None

ES:MW:NN:JV:JL:AN

A handwritten signature in black ink, appearing to read 'Eric Silva', is written over a horizontal line.

Eric Silva, AICP, Assistant Director
Development Services
Miami-Dade County
Department of Regulatory and Economic Resources

ZONING RECOMMENDATION ADDENDUM

*Director of the Department of Regulatory and Economic Resources
Palmer Lake Metropolitan Urban Center
Z13-041*

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resources Management (RER)	No objection
Public Works and Waste Management	No objection
Parks, Recreation and Open Spaces	No objection
Fire Rescue	No objection
Police	No objection
Schools	No objection
*Subject to conditions in their memorandum	

COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

Land Use Element Goal (Pg. I-2)	<i>Provide the best possible distribution of land use and services to meet the physical, social, cultural, and economic needs of the present and future populations in a timely and efficient manner that will maintain or improve the quality of the natural and man-made environment and amenities, and preserve Miami-Dade County's unique agricultural lands.</i>
Land Use Element Objective LU-1 (Pg. I-2)	<i>The location and configuration of Miami-Dade County's urban growth through the year 2025 shall emphasize concentration and intensification of development around centers of activity, development of well designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.</i>
Land Use Element Policy LU-1A (Pg. I-2)	<i>High intensity, well designed urban centers shall be facilitated by Miami-Dade County at locations having high countywide multi-modal accessibility.</i>
Land Use Element Policy LU-1C (Pg. I-2)	<i>Miami-Dade County shall give priority to infill development on vacant sites in currently urbanized areas, and redevelopment of substandard or underdeveloped environmentally suitable urban areas contiguous to existing urban development where all necessary urban services and facilities are projected to have capacity to accommodate additional demand.</i>
Land Use Element Policy LU-1D (Pg. I-3)	<i>In conducting its planning, regulatory, capital improvements and intergovernmental coordination activities, Miami-Dade County shall seek to facilitate the planning of residential areas as neighborhoods which include recreational, educational and other public facilities, houses of worship, and safe and convenient circulation of automotive, pedestrian and bicycle traffic.</i>
Land Use Element Policy LU-1F (Pg. I-3)	<i>To promote housing diversity and to avoid creation of monotonous developments, Miami-Dade County shall vigorously promote the inclusion of a variety of housing types in all residential communities through its area planning, zoning, subdivision, site planning and housing finance activities, among others. In particular, Miami-Dade County shall review its zoning and subdivision practices and regulations and shall amend them, as practical, to promote this policy.</i>
Land Use Element Policy LU-1G (Pg. I-3)	<i>Business developments shall preferably be placed in clusters or nodes in the vicinity of major roadway intersections, and not in continuous strips or as isolated spots, with the exception of small neighborhood nodes. Business developments shall be designed to relate to adjacent development, and large uses should be planned and designed to serve as an anchor for adjoining smaller businesses or the adjacent business district. Granting of commercial or other non-residential zoning by the County is not necessarily warranted on a given property by virtue of nearby or adjacent roadway construction or expansion, or by its location at the intersection of two roadways.</i>
Land Use Element Policy LU-2A (Pg. I-5)	<i>All development orders authorizing new, or significant expansion of existing, urban land uses shall be contingent upon the provision of services at or above the Level of Service (LOS) standards specified in the Capital Improvement Element (CIE).</i>
Land Use Element Objective LU-5 (Pg. I-12)	<i>Upon the adoption of this plan, all public and private activities regarding the use, development and redevelopment of land and the provision of urban services and infrastructure shall be consistent with the goal, objectives and policies of this Element, with the adopted Population</i>

ZONING RECOMMENDATION ADDENDUM

Director of the Department of Regulatory and Economic Resources
Palmer Lake Metropolitan Urban Center
Z13-041

	<i>Estimates and Projections, and with the future uses provided by the adopted Land Use Plan (LUP) map and accompanying text titled "Interpretation of the Land Use Plan Map", as balanced with the Goals, Objectives and Policies of all Elements of the Comprehensive Development Master Plan.</i>
Land Use Element Objective LU-7 (Pg. I-14)	<i>Miami-Dade County shall require all new development and redevelopment in existing and planned transit corridors and urban centers to be planned and designed to promote transit-oriented development (TOD), and transit use, which mixes residential, retail, office, open space and public uses in a pedestrian-friendly environment that promotes the use of rapid transit services.</i>
Land Use Element Policy LU-7D (Pg. I-15)	<i>Redevelopment of property within one-half mile of existing or planned mass transit stations and bus routes shall not cause an increase in walking distances from nearby areas to the transit services and shall, wherever practical, be done in a manner that reduces walking distances and is comfortable and attractive to pedestrians.</i>
Land Use Element Policy LU-7E (Pg. I-15)	<i>Land uses that are not conducive to public transit ridership such as car dealerships, car oriented food franchises, and uses that require transporting large objects should not be permitted to locate or expand within 1/4 mile of rail rapid transit stations.</i>
Land Use Element Policy LU-7I (Pg. I-16)	<i>Miami-Dade County will review development incentives to encourage higher density, mixed use and transit-oriented development at or near existing and future transit stations and corridors.</i>
Land Use Element Policy LU-8A (Pg. I-17)	<i>Miami-Dade County shall strive to accommodate residential development in suitable locations and densities which reflect such factors as recent trends in location and design of residential units; a variety of affordable housing options; projected availability of service and infrastructure capacity; proximity and accessibility to employment, commercial and cultural centers; character of existing adjacent or surrounding neighborhoods; avoidance of natural resource degradation; maintenance of quality of life and creation of amenities Density patterns should reflect the Guidelines for Urban Form contained in this Element.</i>
Land Use Element Policy LU-8B (Pg. I-17)	<i>Distribution of neighborhood or community-serving retail sales uses and personal and professional offices throughout the urban area shall reflect the spatial distribution of the residential population, among other salient social, economic and physical considerations.</i>
Land Use Element Objective LU-9 (Pg. I-19)	<i>Miami-Dade County shall continue to maintain, update and enhance the Code of Miami- Dade County, administrative regulations and procedures, and special area planning program to ensure that future land use and development in Miami-Dade County is consistent with the CDMP, and to promote better planned neighborhoods and communities and well designed buildings.</i>
Land Use Element Policy LU-9D (Pg. I-20)	<i>Miami-Dade County shall continue to investigate, maintain, and enhance methods, standards and regulatory approaches, which facilitate sound, compatible mixing of uses in projects and communities.</i>
Land Use Element Policy LU-9F (Pg. I-20)	<i>Miami-Dade County shall formulate and adopt zoning or other regulations to implement the policies for development and design of Metropolitan and Community Urban Centers established in the CDMP through individual ordinances for each urban center.</i>
Land Use Element Policy LU-9G (Pg. I-20)	<i>Miami-Dade County shall review and revise its development regulations to promote building designs in multi-family residential zoning districts which are more compatible with, and sensitive to, surrounding neighborhoods, and to establish minimum densities for development in multifamily residential zoning districts.</i>
Land Use Element Policy LU-9I (Pg. I-20)	<i>Miami-Dade County shall continue to update and enhance its land development regulations and area planning program to facilitate development of better planned neighborhoods and communities, and well designed buildings, and shall encourage and assist municipalities to do the same.</i>
Land Use Element Policy LU-9P (Pg. I-21)	<i>Miami-Dade County shall revise land development regulations to allow live-work units and structures in urban centers and all land use categories that permit the mixture of residential and non-residential uses. Live-work refers to one or more individuals living in the same building where they earn their livelihood usually in professional, artisanal or light industrial activities. The quiet enjoyment expectations of the residential neighbors take precedence over the work needs in a live-work unit or building. Toward this end, the occupational use of the unit shall not include nonresident employees or walk-in trade. No outdoor activity; noise, vibration, odor, electric interference or other effect of the occupation shall be detectable outside the</i>

ZONING RECOMMENDATION ADDENDUM

Director of the Department of Regulatory and Economic Resources
Palmer Lake Metropolitan Urban Center
Z13-041

	<i>work-live unit. The regulations should provide for disclosure of neighboring industrial and commercial activities to prospective residential tenants and purchasers.</i>
Land Use Element Policy LU-9Q (Pg. I-22)	<i>Miami-Dade County shall revise land development regulations to allow work-live units in the Business and Office and Industrial and Office land use categories. The term work-live means that the needs of the work component takes precedence over the quite expectations of residents, in that there may be noise, odors, or other impacts of the business, as well as employees, walk-in trade or sales. The predominant use of a work-live unit is industrial or commercial work activity and residential activity is secondary.</i>
Land Use Element Objective LU-10 (Pg. I-23)	<i>Energy efficient development shall be accomplished through metropolitan land use patterns, site planning, landscaping, building design, and development of multimodal transportation systems.</i>
Land Use Element Policy LU-10A (Pg. I-23)	<i>Miami-Dade County shall facilitate contiguous urban development, infill, redevelopment of substandard or underdeveloped urban areas, high intensity activity centers, mass transit supportive development, and mixed-use projects to promote energy conservation.</i>
Land Use Element Objective LU-12 (Pg. I-24)	<i>Miami-Dade County shall take specific measures to promote infill development that are located in the Urban Infill Area (UIA) as defined in PolicyTC-1B or in an built-up area with urban services that is situated in a Community Development Block Grant (CDBG)-eligible area, a Targeted Urban Area identified in the Urban Economic Revitalization Plan for Targeted Urban Areas, an Enterprise Zone established pursuant to state law or in the designated Empowerment Zone established pursuant to federal law.</i>
Land Use Element Policy LU-12D (Pg. I-25)	<i>The County shall consider developing strategies that promote infill development in specific areas.</i>
Mass Transit Subelement Goal (Pg. II-29)	<i>Maintain, operate and develop a mass transit system in Miami-Dade County that provides efficient, convenient, accessible, and affordable service to all residents and tourists.</i>
Mass Transit Subelement Objective MT-2 (Pg. II-30)	<i>Coordinate the provision of efficient transit service and facilities with the location and intensity of designated future land use patterns as identified on the Land Use Plan Map, and the goal, objectives and policies of the Land Use Element.</i>
Mass Transit Subelement Policy MT-2A (Pg. II-30)	<i>Transit system improvements shall be coordinated with, and support the staging and shaping of development as planned in the Land Use Element, through Miami-Dade County's transportation planning process.</i>
Mass Transit Subelement Policy MT-2B (Pg. II-30)	<i>The area surrounding future rapid transit stations not yet sited and depicted on the Land Use Plan map shall be designed and developed, at a minimum, as community urban centers, containing land use and development designs that promote transit use as defined in the Land Use Element.</i>
Mass Transit Subelement Objective MT-4 (Pg. II-31)	<i>Provide convenient, accessible and affordable mass transit services and facilities.</i>
Mass Transit Subelement Policy MT-4A (Pg. II-31)	<i>Miami-Dade County, with private sector assistance, shall provide mass transit service appropriate for the mix and intensity of development of urban centers identified in the Land Use Element.</i>
Mass Transit Subelement Policy MT-4B (Pg. II-31)	<i>Miami-Dade County, with appropriate private sector contributions shall provide a network of regular and/or special services to facilitate access to major centers of employment, commercial, medical, educational, governmental, and recreational activity.</i>
Port of Miami River Subelement Policy PMR-1B (Pg. II-63)	<i>In making recommendations relating to requested zoning changes and permits for development and redevelopment along the Miami River, Miami-Dade County agencies shall promote the protection or inclusion of uses which are water dependent and/or water related, such as cargo shipping terminals and boat repair yards.</i>
Land Use Element Urban Centers (Pg. I-46)	<i>Diversified urban centers are encouraged to become hubs for future urban development intensification in Miami-Dade County, around which a more compact and efficient urban structure will evolve. These Urban Centers are intended to be moderate to high intensity design-unified areas which will contain a concentration of different urban functions integrated both horizontally and vertically.</i>

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Director of the Department of Regulatory and Economic Resources
Palmer Lake Metropolitan Urban Center
Z13-041

Three scales of centers are planned: Regional, the largest, notably the downtown Miami central business district; Metropolitan Centers such as the evolving Dadeland area; and Community Centers which will serve localized areas. Such centers shall be characterized by physical cohesiveness, direct accessibility by mass transit service, and high quality urban design. Regional and Metropolitan Centers, as described below, should also have convenient, preferably direct, connections to nearby expressway or major roadways to ensure a high level of countywide accessibility.

The locations of urban centers and the mix and configuration of land uses within them are designed to encourage convenient alternatives to travel by automobile, to provide more efficient land use than recent suburban development forms, and to create identifiable "town centers" for Miami-Dade's diverse communities. These centers shall be designed to create an identity and a distinctive sense of place through unity of design and distinctively urban architectural character of new developments within them.

The core of the centers should contain business, employment, civic, and/or high or moderate-density residential uses, with a variety of moderate-density housing types within walking distance from the centers. Both large and small businesses are encouraged in these centers, but the Community Centers shall contain primarily moderate and smaller sized businesses that serve, and draw from, the nearby community. Design of developments and roadways within the centers will emphasize pedestrian activity, safety and comfort, as well as vehicular movement. Transit and pedestrian mobility will be increased and area wide traffic will be reduced in several ways: proximity of housing and retail uses will allow residents to walk or bike for some daily trips; provision of both jobs, personal services and retailing within walking distance of transit will encourage transit use for commuting; and conveniently located retail areas will accommodate necessary shopping during the morning and evening commute or lunch hour.

Urban Centers are identified on the LUP map by circular symbols noting the three scales of planned centers. The Plan map indicates both emerging and proposed centers. The designation of an area as an urban center indicates that governmental agencies encourage and support such development. The County will give special emphasis to providing a high level of public mass transit service to all planned urban centers. Given the high degree of accessibility as well as other urban services, the provisions of this section encourage the intensification of development of these centers over time. In addition to the Urban Center locations depicted on the Land Use Plan Map, all future rapid transit station sites and their surroundings shall, at a minimum, be developed in accordance with the Community Center policies established below.

Following are policies for development of Urban Centers designated on the Land Use Plan (LUP) map. Where the provisions of this section authorize land uses or development intensities or densities different or greater than the underlying land use designation on the LUP map, the more liberal provisions of this section shall govern. All development and redevelopment in Urban Centers shall conform to the guidelines provided below.

Urban Centers - Uses and Activities

Regional and Metropolitan Centers shall accommodate a concentration and variety of uses and activities which will attract large numbers of both residents and visitors while Community-scale Urban Centers will be planned and designed to serve a more localized community. Uses in Urban Centers may include retail trade, business, professional and financial services, restaurants, hotels, institutional, recreational, cultural and entertainment uses, moderate to high density residential uses, and well planned public spaces. Incorporation of residential uses are encouraged, and may be approved, in all centers, except where incompatible with airport or heavy industrial activities. Residential uses may be required in areas of the County and along rapid transit lines where there exists much more commercial development than residential development, and creation of employment opportunities will be emphasized in areas of the County and along rapid transit lines where there is much more residential development than employment opportunity. Emphasis in design and development of all centers and all of their individual components shall be to create active pedestrian environments through high-quality design of public spaces as well as private buildings; human scale appointments, activities and amenities at street level; and connectivity of places through creation of a system of pedestrian linkages. Existing public water bodies shall also be incorporated by design into the public spaces within the center.

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Urban Centers - Radius

The area developed as an urban center shall extend to one mile radius around the core or central transit station of a Regional Urban Center designated on the LUP map. Designated Metropolitan Urban Centers shall extend not less than one-quarter mile walking distance from the core of the center or central transit stop(s) and may extend up to one-half mile from such core or transit stops major roads and pedestrian linkages. Community Centers shall have a radius of 700 to 1800 feet but may be extended to a radius of one-half mile where recommended in a professional area plan for the center, consistent with the guidelines herein, which plan is approved by the Board of County Commissioners after an advertised public hearing. Urban Center development shall not extend beyond the UDB.

Urban Centers - Streets and Public Spaces

Urban Centers shall be developed in an urban form with a street system having open, accessible and continuous qualities of the surrounding grid system, with variation, to create community focal points and termination of vistas. The street system should have frequent connections with surrounding streets and create blocks sized and shaped to facilitate incremental building over time, buildings fronting on streets and pedestrian pathways, and squares, parks and plazas defined by the buildings around them. The street system shall be planned and designed to create public space that knits the site into the surrounding urban fabric, connecting streets and creating rational, efficient pedestrian linkages. Streets shall be designed for pedestrian mobility, interest, safety and comfort as well as vehicular mobility. The size of blocks and network of streets and pedestrian access ways shall be designed so that walking routes through the center and between destinations in the center are direct, and distances are short. Emphasis shall be placed on sidewalks, with width and street-edged landscaping increased where necessary to accommodate pedestrian volumes or to enhance safety or comfort of pedestrians on sidewalks along any high-speed roadways. Crosswalks will be provided, and all multi-lane roadways shall be fitted with protected pedestrian refuges in the center median at all significant pedestrian crossings. In addition, streets shall be provided with desirable street furniture including benches, light fixture and bus shelters. Open spaces such as public squares and greens shall be established in urban centers to provide visual orientation and a focus of social activity. They should be located next to public streets, residential areas, and commercial uses, and should be established in these places during development and redevelopment of streets and large parcels, particularly parcels 10 acres or larger. The percentage of site area for public open spaces, including squares, greens and pedestrian promenade, shall be a minimum of 15 percent of gross development area. This public area provided outdoor, at grade will be counted toward satisfaction of requirements for other common open space. Some or all of this required open space may be provided off-site but elsewhere within the subject urban center to the extent that it would better serve the quality and functionality of the center.

Urban Centers - Parking

Shared parking is encouraged. Reductions from standard parking requirements shall be authorized where there is a complementary mix of uses on proximate development sites, and near transit stations. Parking areas should occur predominately in mid-block, block rear and on-street locations, and not between the street and main building entrances. Parking structures should incorporate other uses at street level such as shops, galleries, offices and public uses.

Urban Centers - Buildings

Buildings and their landscapes shall be built to the sidewalk edge in a manner that frames the adjacent street to create a public space in the street corridor that is comfortable and interesting, as well as safe for pedestrians. Architectural elements at street level shall have a human scale, abundant windows and doors, and design variations at short intervals to create interest for the passing pedestrian. Continuous blank walls at street level are prohibited. In areas of significant pedestrian activity, weather protection should be provided by awnings, canopies, arcades and colonnades.

Urban Centers - Density and Intensity

The range of average floor area ratios (FARs) and the maximum allowed residential densities of development within the Regional, Metropolitan and Community Urban Centers are shown in the table below.

	Average Floor Area Ratios	Max. Densities
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	(FAR)	Dwellings per Gross Acre
Regional Activity Centers	greater than 4.0 in the core not less than 2.0 in the edge	500
Metropolitan Urban Centers (PLMUC)	greater than 3.0 in the core	250
Community Urban Centers	greater than 1.5 in the core not less than 0.5 in the edge	125

In addition, the densities and intensities of developments located within designated Community Urban Centers and around rail rapid transit stations should not be lower than those provided in Policy LU-7F (see above). Height of buildings at the edge of Metropolitan Urban Centers adjoining stable residential neighborhoods should taper to a height no more than 2 stories higher than the adjacent residences, and one story higher at the edge of Community Urban Centers. However, where the adjacent area is undergoing transition, heights at the edge of the Center may be based on adopted comprehensive plans and zoning of the surrounding area. Densities of residential uses shall be authorized as necessary for residential or mixed-use developments in Urban Centers to conform to these intensity and height policies.

As noted previously in this section, urban centers are encouraged to intensify incrementally over time. Accordingly, in planned future rapid transit corridors, these intensities may be implemented in phases as necessary to conform with provisions of the Transportation Element, and the concurrency management program in the Capital Improvement Element, while ensuring achievement of the other land use and design requirements of this section and Land Use Policy LU-7F.

PERTINENT ZONING REQUIREMENTS/STANDARDS

33-303.1(D)(7) Developmental Impact Committee	<p>Review and make recommendations concerning County zoning actions, with the exception of applications which seek only non-use variances and/or a modification of a condition(s) or covenant(s) and which do not approve a change of use or an increase in the floor area for any and all nonresidential use(s), which are:</p> <p style="padding-left: 40px;">(a) Required by the regulations to be taken after public hearing, and which would allow individually, or cumulatively within an independent development parcel:</p> <ol style="list-style-type: none"> 1. Residential developments involving in excess of two hundred fifty (250) dwelling units. 2. Business uses involving in excess of ten (10) acres or one hundred thousand (100,000) square feet of retail floor area, or one thousand (1,000) vehicle off-street parking space capacity. 3. Recreational, cultural, or entertainment facilities involving in excess of one thousand (1,000) vehicle off-street parking space capacity for single performance or twenty (20) acres. 4. Office buildings or office complexes involving in excess of one hundred twenty-five thousand (125,000) square feet of floor space, or one thousand (1,000) vehicle off-street parking space capacity. 5. Industrial, processing or manufacturing activity involving fifty (50) acres, or five hundred (500) vehicle off-street parking space capacity. 6. Hotel and/or motel developments involving in excess of two hundred fifty (250) units. 7. All planned area developments. 8. Mixed-use developments with two (2) or more of the land use types specified in 1. through 6. above where none of the individual land uses in the development meet or exceed the thresholds listed in 1. through 6. above and where the sum of the percentages of the appropriate thresholds listed in 1. through 6. above for each applicable land use in the
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	<p>development is greater than one hundred thirty (130) percent. Where a development addresses more than one (1) threshold within a particular land use type listed in 1. through 6. above, then the threshold in that land use type which generates the highest percentage shall be utilized in the calculation of the total mixed-use percentage for the subject development.</p>
Section 33-311 District Boundary Change	<p>(A) The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.</p> <p>(F) Section 33-311 provides that the Board shall take into consideration, among other factors the extent to which:</p> <ol style="list-style-type: none">(1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;(2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;(3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;(4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;(5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

**2. DEPARTMENT OF REGULATORY AND
ECONOMIC RESOURCES**
(Applicant)

13-9-CC-2 (13-041)
Area BCC/District 02
Hearing Date: 09/26/13

Property Owner (if different from applicant) Same.

Is there an option to purchase ☐ /lease ☐ the property predicated on the approval of the zoning request? Yes ☐ No ☒

If so, who are the interested parties? RER

Disclosure of interest form attached? Yes ☐ No ☒

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
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Multiple Zoning Action


Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

Memorandum



Date: July 17, 2013

To: Eric Silva
Assistant Director
Department of Regulatory and Economic Resources

From: 
Antonio Cotarelo, P.E.
Interim County Engineer
Public Works and Waste Management Department

Subject: DIC 13-041
Name: Department of Regulatory and Economic Resources
Section 28 Township 53 South Range 41 East

I. PROJECT LOCATION:

Lying generally north of NW 20 Street and the Tamiami Canal, east of the Seaboard Air Line Railroad and south of NW North River Drive

II. APPLICATION REQUEST:

This application requests a district boundary change from IU-1, IU-2 and IU-3 to Palmer Lake Metropolitan Urban Center.

III. RECOMMENDATION:

This project is located within the jurisdiction of Miami-Dade County. Pursuant to Chapter 33G-5(1)(a)1 of the Miami-Dade County Code this application is an Initial Development Order and will be granted concurrency approval as the project is located within the Urban Infill Area, therefore, no vehicle trips have been reserved by this application. This project is subject to the payment of Road Impact Fees. Additional improvements may be required at time of permitting/platting. **Public Works and Waste Management approves this application.**

IV. EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION:

Access to this site is available from the northwest and southeast by NW South River Drive, from the east and the west by NW 20 Street and the South from NW 37 Avenue.

V. ANTICIPATED TRAFFIC GENERATION AND CONCURRENCY:

Land Use	Existing Zoning	Trip Generation for Existing Zoning	Proposed Zoning	Trip Generation for Proposed Zoning	Total Trip Difference
Industrial	2,895,181 sq. ft.	926	2,552,770 sq. ft.	817	-109
Office	772,048 sq. ft.	944	2,409,055 sq. ft.	2777	1833
Retail	0 sq. ft.	0	830,054 sq. ft.	2626	2626
Hotel	4,825 sq. ft.	2847	7,304 units.	4309	1462
Residential	0 units	0	1,281 units	722	722
Total	N/A	4717	N/A	11,251	6534

A. Trip Generation (Based on Institute of Transportation Engineers)

6534 net new PM Peak Hour trips are generated by this development.

B. Cardinal Distribution

North	27%	East	22%
South	25%	West	26%

VI. IMPACT ON EXISTING ROADWAYS:

A. CONCURRENCY:

The stations that will be directly impacted by this development are the following:

Station Number	Location	Current LOS	Projected Trips	Projected LOS
F-1179	NW 42 Avenue south of East 11 Place	D	1017	E+50
F-2065	Airport Expressway west of NW 32 Avenue	C	758	C
F-107	NW 36 Street west of NW 37 Avenue	D	538	D
F-2207	Dolphin Expressway west of NW 37 Avenue	F	305	F
9380	NW 17 Street west of NW 27 Avenue	C	305	C
F-552	NW 27 Avenue south of Dolphin Expressway	D	300	E+20
F-28	NW 42 Avenue north of NW 25 Street	D	482	D
F-27	NW 42 Avenue north of Flagler Street	B	482	B
9678	SW 37 Avenue south of SW 8 Street	E	211	E+20
9676	SW 32 Avenue south of SW 8 Street	D	211	E+20
9342	NW 7 Street west of NW 27 Avenue	C	210	C
9348	NW 7 Street west of NW 60 Avenue	C	220	C
F-2198	Dolphin Expressway east of NW 57 Avenue	C	886	C
F-102	NW 36 Street west of NW 42 Avenue	D	609	D

VII. IMPACT ON EXISTING ROADWAYS:

Concurrency for the individual projects will be evaluated during the development process.

VIII. DEVELOPMENT IMPROVEMENTS REQUIRED FOR THIS PROJECT:

This application requests a district boundary change from IU-1, IU-2 and IU-3 to Palmer Lake Metropolitan Urban Center. No information was found describing traffic impact in the online system. It is suggested that a traffic concurrency analysis be provided describing the net impact of the project to traffic. Therefore, traffic impact studies must be provided prior to plats and site plan review.

IX. ACCESS IMPROVEMENTS REQUIRED FOR THIS PROJECT:

Currently there is no development associated with this application and there is no proposal for roadway improvements. However, when the development is proposed, the required access improvements will be addressed via a traffic study.

X. SITE PLAN CRITIQUE:

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. Any right-of-way dedications and/or improvements required will be accomplished through the recording of a plat.

XI. STANDARD CONDITIONS:


A letter or a plan containing the following certification signed and sealed by a State of Florida registered engineer shall be submitted as part of the paving and drainage plans: "I hereby certify that all of the roads for the subject project comply with all of the applicable portions of the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Greenbook) regarding: design speed, lane widths, horizontal alignment, vertical alignment, stopping sight distance, sight distance, horizontal clearance, vertical clearance, superelevation, shoulder widths, grades, bridge widths, etc."

c: Raul A. Pino, PLS, Department of Regulatory and Economic Resources
Joan Shen, Ph. D., P.E., PTOE, Acting Chief, Traffic Engineering Division, PWWM
Jeff Cohen, P.E., Assistant Chief, PWWM
Orlando Grandal, Special Administrator for Concurrency, Department of Regulatory and Economic Resources

Memorandum

Date: June 11, 2013

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources 

Subject: BCC #Z2013000041
Palmer Lake Metropolitan Urban Center
Lying generally North of NW 20th Street and the Tamiami Canal,
East of the Seaboard Air Line Railroad and South of the Miami
River.
IU-1-2-3 TO PLMUC
(IU-1) (220 Acres)
28-53-41

The subject application has been reviewed by the Department of Regulatory and Economic Resources— Division of Environmental Resources Management (DERM) for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

Potable Water Service

The subject properties are located within the Miami-Dade Water and Sewer Department (MDWASD) water franchised service area. Public water mains are within the site in the form of 6, 8, 12, 16 and 24-inch diameter water mains. Said mains are owned and operated by MDWASD.

The source for this water supply is the MDWASD's Hialeah Preston Water Treatment Plant. This plant has sufficient capacity to provide current water demand. The plant is presently producing water that meets Federal, State, and County drinking water standards.

Wastewater Disposal

The subject property is located within MDWASD sanitary sewer franchised service area. Public sanitary sewers are within the site in the form of 6, 8, 12, 20 and 24-inch force mains and an 8 and 10-inch gravity network.

The site is served by pump stations 30-0088, 30-0089 and 30-0102. Pump stations 30-0088 and 30-0089 direct the wastewater flow into pump station 30-102 then to pump station 30-0001 and finally to the Central District Wastewater Treatment Plant. The aforementioned sanitary sewer pump stations as well as the Central District Wastewater Treatment Plant are owned and operated by MDWASD. Pump station 30-0102 is currently under Conditional Moratorium (CM). DERM can issue conditional sewer capacity certification for new construction projects subject to certification of completion of the pump station. In accordance with the First Partial Consent Decree, Case No. 93-1109 CIV-Moreno, between the Environmental Protection Agency and Miami-Dade County, DERM cannot issue Certificates of Occupancy/Certificates of Completion for any associated building permits until pump station 30-0102 has been certified complete and operating in compliance.

The rest of the aforesaid pump stations, are currently working within the mandated criteria set forth in the First and Second Partial Consent Decree. At this time the Central District Wastewater Treatment Plant has sufficient capacity to treat current discharge.

Stormwater Management

Any new development within the Section 28/29, Township 53, Range 41 East, proposing more than 2.0 acres of impervious area will require a Surface Water Management Standard Permit issued by the Water Control Section of DERM. For those projects that have an existing permit and will propose any re-development, a permit modification of the Surface Water Management Permit will be required. The subject application is located across Flood Zone AE where the Base Flood Elevation is 8.0 feet, NGVD; as per the federal Flood Insurance Rate Maps (FIRM) for Miami-Dade County.

The site shall be filled to a minimum elevation of 5.0 feet, NGVD or County Flood Criteria.

For construction of habitable structures within the subject application, the Lowest Floor Elevation requirement shall be the highest elevation in NGVD of the following references:

- Average crown of road fronting the property, plus 8 inches for residential, or plus 4 inches for commercial.
- County Flood Criteria 5.0 feet NGVD, plus 8 inches for residential, or plus 4 inches for commercial.
- Elevation of the back of the sidewalk (if any) fronting the property, plus 8 inches for residential, or plus 4 inches for commercial.
- Minimum Base Flood Elevation for this area is found to be 8.0 feet NGVD (taken from the Flood Insurance Rate Maps (FIRM) for Miami Dade County).
- The stage generated by retention on-site of the 25-year rainfall event according to stage-storage calculations.

Stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage must be provided for the 5-year/1-day storm event.

For compliance with stormwater quantity requirements designed to prevent flooding of adjacent properties, the site grading and development shall provide for the full on-site retention of the 25-year/3-day storm event and shall also comply with the requirements of Chapter 11C of the Code, all State, and Federal Criteria.

If any portion of the proposed project falls within a landfill and/or a contaminated area, a Class VI permit might be required

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

Pollution Remediation

There are records of current contamination assessment/remediation sites and solid waste sites within the boundary of the proposed Palmer Lake Metropolitan Urban Center. The Environmental Monitoring and Restoration Division of DERM will require review of development and construction plans as they relate to environmental conditions of the property for projects that fall within a documented contaminated site or within a documented solid waster/former landfill designated area.

Coastal Resources

The subject area is located within Essential Manatee Habitat as per the Miami-Dade County Manatee Protection Plan (MDMPP) and is recognized as an area where activities sensitive to the endangered West Indian Manatee and its welfare occur. The MDMPP recommends for specific uses for the shoreline in this area. Permitting reviews of projects proposing construction and operations along the shoreline in this area are evaluated in consideration to various factors, including MDMPP recommendations and requirements of the Code.

Due to construction projects in the subject area, manatees may gain access to waters of Palmer Lake, the Miami River and the Tamiami Canal. Manatees have been injured or killed by entrapment in existing culverts as well as roadway/culvert projects under construction within Miami-Dade County. The MDMPP requires that all new or replacement culverts and outfalls accessible to manatees be designed to prevent entrapment of or injury to these animals. Those outfalls which are greater than 7 inches and less than 60 inches in diameter shall be covered with grates or screens with spaces less than 7 inches wide in order to prevent entrapment. New culverts installed in areas not previously accessible to manatees shall be covered with flap gates or other devices designed so as not to cause injury to manatees, and to prevent the animals from entering the outfalls or culverts including during construction.

The State of Florida Fish and Wildlife Conservation Commission (FWC) requires that all work proposed in waters known to host manatees comply with FWC's Standard Manatee Conditions for In-Water Work. DERM recommends strict adherence to said conditions.

Construction projects in the subject area should employ turbidity barriers and means of containment so materials from construction projects do not enter surface waters of adjacent canals. Any containment systems to be installed in waters of these canals should be designed to account for tidal and wind influence.

A Class I Permit shall be required for any work in, on, over or upon tidal waters, for any work within coastal wetlands or for any work to trim, cut or alter mangrove trees within the subject area. There are 62 files pertaining to Class I projects in the subject area.

An Annual Operating Permit from Miami-Dade County shall be required for any facility reasonably expected to be a source of pollution to air, ground or water, including liquid waste facilities involving boat mechanical, maintenance or repair activities. An Annual Marine Facilities Operating Permit (MOP) may be required for any such facilities that store or dock boats, and shall be required for the following:

- All commercial boat docking facilities
- All boat storage facilities contiguous to tidal waters with a total of ten (10) or more dry storage spaces
- All recreational boat docking facilities with a total of ten (10) or more boat slips, mooring, davits spaces, and vessel tie-up spaces

A search of Coastal and Wetlands Resources Section Records located 17 active MOP within the subject area.

The Coastal and Wetlands Resources Section of DERM (305-372-6575) may be contacted for further information.

Wetlands

The footprint of the subject project area does not contain wetlands as defined by Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation

The subject area may contain specimen-sized trees (trunk diameter 18 inches or greater). Section 24-49.2(II) of the Code requires that specimen-sized trees be preserved whenever reasonably possible. A Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said Tree Removal Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is required to comply with the above tree permitting requirements. Approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application.

The applicant is advised to contact Tree Permitting Program at 305-372-6600, voice option #2, for additional information regarding tree permitting procedures and requirements prior to development.

Enforcement History

There are one hundred and forty-two (142) closed enforcement case and fourteen (14) open enforcement cases for the subject properties located within the subject area. Please contact the Enforcement Section if you require additional information.

Concurrency Review Summary

A concurrency review has been conducted for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute written approval as required by Chapter 24 of the Code.

If you have any questions concerning the comments or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: June 17, 2013

To: Jack Osterholt, Director
Permitting, Environment and Regulatory Affairs

From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department

Subject: DIC 2013000041 – Department of Regulatory and Economic Resources
Palmer Lake Metropolitan Urban Center (PLMUC)

On May 7, 2013, the Board of County Commissioners approved an ordinance creating the Palmer Lake Metropolitan Urban Center zoning district. At this time, the Director of the Department of Regulatory and Economic Resources is seeking a district boundary change from multiple industrial zoning districts to Palmer Lake Metropolitan Urban Center (PLMUC) on an approximate 220-acre parcel of land lying north of NW 20th Street and the Tamiami Canal, east of the Seaboard Air Line, and south of the Miami River, in unincorporated Miami-Dade County.

The PLMUC will allow the development of mixed uses consisting of industrial, office, retail, a hotel, and residential units. As part of the application, an excerpt showing the comparison of Existing Zoning and Proposed Palmer Lake Zoning was provided by the applicant as illustrated below:

Use	Existing Zoning	Proposed Palmer Lake Zoning	Difference (Palmer Lake minus Existing)
Industrial	2,895,181 sq. ft.	2,552,770 sq. ft.	-342,411 sq. ft.
Office	772,048 sq. ft.	2,409,055 sq. ft.	+1,637,007 sq. ft.
Retail	0 sq. ft.	830,054 sq. ft.	+830,054 sq. ft.
Hotel	4,825 units	7,304 units	+2,479 units
Residential	0 units	1,281 units	+1,281 units

SERVICE IMPACT/DEMAND

- (A) Based on the development program, it is anticipated that the project will generate approximately **3,298** fire and rescue alarms annually. The number of alarms will have a significant impact on existing fire and rescue service facilities.
- (B) A suspected fire within this development would be designated as a building dispatch assignment. Such an assignment requires four (4) suppression units; one of which must be an aerial, and the other three may be a combination of engines, tankers, ladders or aerials. Additionally, the assignment will require one (1) rescue and a battalion commander. This assignment requires twenty (20) firefighters and officers.
- (C) Based on data retrieved during calendar year 2012, the average travel time to the vicinity of the proposed development exceeded eight (8) minutes. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8-minutes at 90% of all incidents. Travel time to the vicinity of the proposed development does not comply with the performance objective of national industry.

EXISTING SERVICES

STATION	ADDRESS	EQUIPMENT	STAFF
2	6460 NW 27 Avenue	Rescue (2), Aerial, Battalion	11
35	201 Westward Drive	Rescue, Engine	7
17	7050 NW 36 Street	Ladder, Haz Mat Unit, Battalion	7
7	9350 NW 22 Avenue	Rescue, Engine	7

SITE PLAN REVIEW

The applicant has not proffered a site plan in connection with this application.

Please be advised that during the platting and permitting stages of this project, each proffered site plan must be reviewed by the Fire Water & Engineering Bureau to assure compliance with the Florida Fire Prevention Code (FFPC) and National Fire Protection Association (NFPA) standards.

CONCLUSION

The Miami-Dade Fire Rescue Department (MDFR) supports the development policies and implementation strategies for areas throughout the County in order to ensure proper urban growth patterns and to provide for well-planned supportive communities containing a variety of uses, housing types and public services.

MDFR recognizes that the goal of the PLMUC is to create a framework that will encourage new development to occur with high quality urban design and a variety of uses while retaining the characteristics of the Palmer Lake District.

However, the Miami-Dade Fire Rescue Department is requesting that an approximate two (2) acre parcel of land be identified for donation to the Miami-Dade Fire Rescue Department for the construction of a new fire station that will meet the increased demand for fire and rescue service resulting from the total build-out of the development.

For additional information, please contact Mr. Carlos Heredia, Planning Section Supervisor, at 786-331-4544.

Memorandum



DATE: May 20, 2013

TO: Jorge Vital
DIC Coordinator
Department of Regulatory and Economic Resources

FROM: Nilia Cartaya *Nilia Cartaya*
Principal Planner
Miami-Dade Transit - Engineering, Planning & Development Division

SUBJECT: Review of DIC Project No. 13-41 Department of Regulatory and
Economic Resources – Palmer Lake Metropolitan Urban Center
MDT Project No. OSP006
FSC No. 41.04

Project Description

13-41 –The applicant is requesting a district boundary change from multiple industrial zoning districts to Palmer Lake Metropolitan Urban Center District (PLMUC). The subject property is located north of NW 20 Street and the Tamiami Canal, east of the South Florida Rail Corridor and south of the Miami River, in Miami-Dade County, Florida.

Current Transit Service

The Palmer Lake Metropolitan Urban Center District area is well served by transit. On July 28, 2012, Miami-Dade Transit unveiled one of its most anticipated projects: The Miami International Airport Metrorail Station and the Orange Line rail service to Miami International Airport (MIA) via the MIA People-Mover line operated by Miami-Dade Aviation Department. This 2.4 mile extension provides a fast and reliable Metrorail connection to the airport for the millions of residents, visitors and employees who travel to and from MIA every year. The Orange Line Metrorail Service operates at 10-minute headways during the peak AM and PM travel times between the MIA Metrorail Station and the Dadeland South Metrorail Station.

On July 22, 2012 Metrobus Routes J, 7, 37, 42, 57, 150 (Airport Flyer) and 238 were realigned from the Airport Terminal to the new MIA Metrorail Station. Route 297 (27th Avenue Orange MAX) began service on July 22, 2012 and provides a direct connection to the new MIA Metrorail Station from the Broward County Line along NW 27th Avenue. The MIA Metrorail Station and MDT bus terminal are components of the Miami Intermodal Center which consolidates various modes of transportation in one location and allows for seamless transfers between modes as well as access to the Airport Terminal. The alignment for these routes is illustrated on the attached maps. The service headways for these routes (in minutes) are as follows:

Metrobus Route Service Summary
Department of Regulatory and Economic Resources-Palmer Lake MUCD Application Site

Route(s)	Service Headways (in minutes)						Proximity to Bus Route (miles)	Type of Service
	Peak (AM/PM)	Off-Peak (middays)	Evenings (after 8pm)	Overnight	Saturday	Sunday		
7	30	40	60	n/a	40	40	0	L
37	30	30	30	n/a	30	30	0	L
42	20	30	60	n/a	40	60	0	L
57	60	60	n/a	n/a	n/a	n/a	0	L
110 (J)	20	30	30	n/a	30	30	0	L
150 (Miami Beach Airport Flyer)	30	30	30	n/a	30	30	0	F/E
238 (East-West Connection)	45	60	n/a	n/a	n/a	n/a	0	F/E
238 (Weekend Express)	n/a	n/a	n/a	n/a	60	60	0	F/E
297 (27th Avenue Orange MAX)	15	30	n/a	n/a	n/a	n/a	0	F/E

Notes: L means Metrobus local route service
 F means Metrobus feeder service to Metrorail
 E means Express or Limited-Stop Metrobus service

November 2012 Line Up

Future Transportation/Transit Improvements

The 2014 Transportation Improvement Program (TIP) lists the following improvements on the roadways and facilities within the immediate vicinity of the site.

Facility/Project Limits	Type of Work
MIC connection to NW 37 Avenue	New road construction
SFRTA from Hialeah Market Tri-Rail to MIC Rail Station	Rail capacity project
SFRTA Annual O&M cost for MIC	Rail Revenue/Operational Improvement
MIC Management Consultant	Intermodal Hub Capacity
MIC Rental Car Facility & Exit Ramp	Intermodal Hub Capacity
MIC core ROW (Priority 3 ROW)	Intermodal Hub Capacity
MIC Central Station	Intermodal Hub Capacity
MIC MIA Station	Intermodal Hub Capacity

The 2035 Long Range Transportation Plan (LRTP) lists the following improvements within the vicinity of this project.

Facility/Project Limits	Type of Work	Priority/Funding Phase
Earlington Heights-Miami Intermodal Center Extension	Metrorail Extension	Priority I
MIA Central Boulevard	Ground transportation: construct access road	Priority I
MIC Central Station	Ground transportation: hub improvements	Priority I
MIC/MIA Station	Station improvements for MIC/MIA mover	Priority I
South Florida Rail Corridor from north of Hialeah Market to north of the MIC	Double tracking of the remaining single track of Tri-Rail	Priority IV
Additional tracks at the MIC	Construct passenger rail tracks to allow Amtrak service at the MIC and/or commuter rail	Partially funded project

The draft 2013 ten-year Transit Development Plan (TDP) identifies in its 2023 Recommended Service Plan the following improvement/adjustment on the existing routes serving the vicinity of the project:

Route	Improvement/Adjustment
7	No planned improvements
37	No planned improvements
42	No planned improvements
57	No planned improvements
110 (J)	No planned improvements
150 (Miami Beach Airport Flyer)	Improve peak headway from 30 to 20 minutes
238 (East-West Connection)	Extend westward to Beacon Lakes
238 (Weekend Express)	Provide weekend express service originating at the MIC to Dolphin Mall via SR 836
297 (27 Avenue Orange MAX)	Route to be transformed to the 27 Avenue Enhanced Bus Service

MDT Comments/Recommendations

The Palmer Lake area is characterized by marine uses along the Miami River and Tamiami Canal and aviation-related uses and rental car facilities between NW 21 Street and NW 25 Street. With the construction of the MIC and the recent opening of the Miami International Airport Metrorail Station and the Orange Line rail service to Miami International Airport as well as the MDT bus terminal, the Palmer Lake area is ripe for significant transformation and

redevelopment. The proposed Palmer Lake Zoning will facilitate future development in a compact and transit friendly form which will capitalize on the existing excellent transit services that connect the Palmer Lake area to major destinations such as Downtown Miami. MDT acquired approximately 3 acres of land within the subject area for the construction of the AirportLink, the extension of Metrorail connecting the Earlington Heights Station to the MIC. Only a small portion of the property was needed for the placement of the Metrorail columns. Recommended uses for the remaining MDT property include a water taxi terminal, police station, a cargo shipping facility and/or use as a public waterfront access and park area.

Both Metrorail and Metrobus provide a 30 minute or better AM/PM peak-hour headway within the Palmer Lake area. Therefore, this application meets the adopted mass transit level of service standards as prescribed by Policy MT-1A of the Mass Transit Sub-element of the Comprehensive Development Master Plan (CDMP). This project has been reviewed by MDT for mass transit concurrency and was found to be concurrent with the mass transit level-of-service standards established for Miami-Dade County. **As such, MDT has no objections to this application.**

c: Monica D. Cejas, P.E., Senior Professional Engineer
Gerald Bryan, Section Chief Service Planning and Scheduling
Eric Zahn, Transit Planning Section Supervisor
Douglas Robinson, Principal Planner

Memorandum



Date: June 12, 2013

To: Jack Osterholt, Deputy Mayor
Director, Regulatory and Economic Resources Department

From: Maria I. Nardi, Chief *M.I.N.*
Planning and Research Division
Parks, Recreation and Open Spaces Department

Subject: Z2013000041
DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES

The applicant is requesting a district boundary change from multiple zoning classifications to the Palmer Lake Metropolitan Urban Center (PLMUC). The subject property is approximately 220 acres and is located generally in that area lying north of NW 20th St and the Tamiami Canal, east of the Seaboard Air Line Railroad/south of the Miami River, Miami-Dade County, Florida.

Existing Conditions:

Existing zoning does permit residential development and therefore, the local park space need, based on 2.75 acres per 1,000 population, would be 0.0 acres.

There are no County parks located within the boundaries of the proposed PLMUC. Within a 3 mile distance of the general boundaries of the PLMUC, there are numerous other community parks, mini-parks, and neighborhood parks as shown in Table A. This includes Gwen Cherry Park which is the largest of the nearby local parks.

Table A - County Parks (local only)
Within a 3 Mile Radius of Application Area.

PARK FACILITY	ACRES	CLASSIFICATION
27th Avenue Teen Center (Boxing)	1.44	SINGLE PURPOSE PARK
Area 225	0.39	MINI-PARK
Area 227	0.5	MINI-PARK
Claire Rosichan Park	0.38	MINI-PARK
Drew Park	4.13	NEIGHBORHOOD PARK
Gladeview Park	0.92	MINI-PARK
Glenwood Park	0.55	MINI-PARK
Gwen Cherry Park	38.55	COMMUNITY PARK
Jefferson Reaves, Sr. Park	1.67	COMMUNITY PARK
Martin Luther King Memorial Park	10.13	COMMUNITY PARK
Marva Y. Bannerman Park & Pool	3.92	COMMUNITY PARK
Melrose Park	3.4	NEIGHBORHOOD PARK
Northwest Highlands Park	0.8	MINI-PARK
Olinda Park	6.4	COMMUNITY PARK
Partners Park	5.8	NEIGHBORHOOD PARK
Rocky Creek Park	0.25	MINI-PARK
San Jacinto Park	0.92	MINI-PARK

Proposed:

The population generated by the 1,281 residential dwelling units by the proposed rezoning is estimated to be approximately 2,700 depending on final development plans. The local park space need, based on 2.75 acres per 1,000 population, would be about 7.43 acres over that generated by existing zoning.

The Department is currently working to increase the inventory of park acreage in this area through partnerships with transit agencies. The location near the MIC reinforces the need to create a gateway to visitors and residents by creating transit oriented parks where feasible, open spaces and greenways/trails with water views and through the beautification of adjacent roadway corridors.

The proposed PLMUC is consistent with the principles of the Miami-Dade County Parks and Open Space System Master Plan by promoting a walkable, interconnected street hierarchy which can provide links to existing and planned parks and open spaces with residential uses and transit. The many opportunities to focus landscape beautification along the major roadway corridors and greenways recognize the significant role of the public realm and its relationship to the adjacent land uses. As development is proposed within the PLMUC, it will be important that land be set aside to offset new recreational demands to meet the requirements of the newly developed residential areas. Greenways proposed along the boundaries of the PLMUC could provide for numerous recreation opportunities. Open spaces and trails fronting on Palmer Lake, the Miami River and Tamiami Canal can be incorporated as redevelopment occurs. Trails, as depicted for this area in the North Dade Greenways Master Plan should be incorporated in development plans, also.

Concurrency/Capacity Status:

Recreation and Open Space Element policies ROS-2a (i); (ii); (iii); (iv); and (v) provide for the establishment of Miami-Dade County's minimum Level of Service standard for the provision of local recreation open space. This application is in Park Benefit District 1 (PBD1) which has a surplus capacity of 310.91 acres when measured by the County concurrency level-of-services standard for the unincorporated area of 2.75 acres of local recreation open space for 1,000 persons in UMSA.

The 2007 Miami-Dade County Parks and Open Space System Master Plan (OSMP) recommends the creation of an interconnected framework of parks, public spaces, natural and cultural areas, greenways, trails, and streets that promote sustainable communities, the health and wellness of County residents, and that serve the diverse local, national, and international communities. The future development plans of the application area should be developed to be consistent this objective.

If you need additional information or clarification on this matter, please contact John Bowers at (305) 755-5447.

MN:jb

C: John M. Bowers, Parks Property Management Supervisor

Memorandum



Date: June 26, 2013

To: Eric Silva, AICP, Assistant Director
Development Services Division
Department of Regulatory and Economic Resources

From: ~~J.D. Patterson~~
J.D. Patterson, Director
Miami-Dade Police Department

Subject: Review – Zoning Application
Case: No. Z2013000041 – Department of Regulatory and Economic Resources

APPLICATION

The Department of Regulatory and Economic Resources (DRER) is requesting a district boundary change from multiple zoning classifications to Palmer Lake Metropolitan Urban Center (PLMUC). The Board of County Commissioners has requested the DRER to file the rezoning application for properties within the PLMUC boundary. The subject property is approximately 220 acres and is located generally north of NW 20th Street and the Tamiami Canal, east of the Seaboard Air Line Railroad and south of the Miami River, Miami-Dade County, Florida.

A comparison of existing zoning and proposed district boundary change is as follows.

Use	Existing Zoning	Proposed PLMUC Zoning	Difference (PLMUC minus Existing)
Industrial	2,895,181 sq. ft.	2,552,770 sq. ft.	-342,411 sq. ft.
Office	772,048 sq. ft.	2,409,055 sq. ft.	+1,637,007 sq. ft.
Retail	0 sq. ft.	830,054 sq. ft.	+830,054 sq. ft.
Hotel	4,825 units	7,304 units	+2,479 units
Residential	0 units	1,281 units	+1,281 units

CURRENT POLICE SERVICES

The subject property is located in unincorporated Miami-Dade County and serviced by our Airport District, located at the Miami International Airport, Building 3033, Miami, Florida. Our current staffing allows for an average emergency response time of eight minutes or less.

REVIEW

A review of the application and related documents was conducted to predict the impact on the Miami-Dade Police Department's (MDPD) resources and the impact that the location could have on the proposed zoning modification changes. A calculation of crimes/calls for service of the location was completed and has been provided in the attached documents for your Department.

Eric Silva, AICP, Assistant Director
June 26, 2013
Page 2

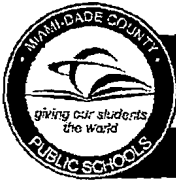
Current data of police staffing, population, and crimes/calls for service was examined to project any increase in calls for service. While we cannot accurately predict the increase in the number of projected calls for service, experience lends itself to anticipate that calls for police service will rise upon the completion of future development due to an increase in citizens being present in the area.

Present staffing should accommodate any slight increase in the volume of calls for service. However, as the area is developed, it is anticipated that additional sworn personnel, support staff, and equipment will be required to maintain current levels of service. Additionally, it is recommended that future developers work closely with the local police district command staff in considering security options for their site(s).

The MDPD does not object to any proposed zoning modifications to complete this project.

Should you have any questions or require additional information, Sergeant Keith Hedrick, of the Strategic Planning and Development Section, may be contacted at (305) 471-1990.

JDP/kh
Attachment



Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools
Alberto M. Carvalho

Miami-Dade County School Board

Perla Tabares Hantman, Chair
Dr. Martin Karp, Vice Chair
Dr. Dorothy Bendross-Mindingall
Susie V. Castillo
Carlos L. Curbelo
Dr. Lawrence S. Feldman
Dr. Wilbert "Tee" Holloway
Dr. Marta Pérez
Raquel A. Regalado

August 14, 2013
(REVISED)

VIA ELECTRONIC MAIL

Department of Regulatory and Economic Resources
Metropolitan Section, Planning Division
Miami-Dade County
111 N.W. First Street, Suite 1250
Miami, Florida 33128-1902
hab@miamidade.gov

**RE: PUBLIC SCHOOL CONCURRENCY - PRELIMINARY ANALYSIS
PALMER LAKE METROPOLITAN CENTER Z2013-000041
LOCATED APPROXIMATELY AT NW 22 STREET AND NW 35 AVENUE
PH3013052000457 - FOLIO No.: 3031280220270**

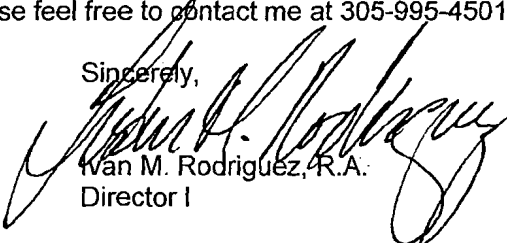
Dear Applicant:

Pursuant to State Statutes and the Interlocal Agreements (ILA) for Public School Facility Planning in Miami-Dade County, the above-referenced application was reviewed for compliance with Public School Concurrency. Accordingly, enclosed please find the School District's Preliminary Concurrency Analysis (Schools Planning Level Review) for informational purposes only.

As noted in the Preliminary Concurrency Analysis (Schools Planning Level Review), the proposed development would yield a maximum residential density of 1,281 multi-family units, which generate 261 students; 119 elementary, 65 middle and 77 senior high students. **At this time, the middle and senior high school levels have sufficient capacity available to serve the application; while the elementary school level does not meet concurrency (there is a shortfall of 68 seats).** However, a final determination of Public School Concurrency and capacity reservation will only be made at the time of approval of final plat, site plan or functional equivalent. If at that time the application still does not meet concurrency, the ILA provides for several mitigation options designed to fully mitigate the shortfall. **As such, this analysis does not constitute a Public School Concurrency approval.**

Should you have any questions, please feel free to contact me at 305-995-4501.

Sincerely,


Wan M. Rodriguez, R.A.
Director I

IMR:ir
L-545 (Revised)
Enclosure

cc: Ms. Ana Rijo-Conde, AICP
Ms. Vivian G. Villaamil
Miami-Dade County
School Concurrency Master File

Facilities Planning, Design and Sustainability
Ana Rijo-Conde, AICP, Deputy Chief Facilities and Eco-Sustainability Officer
1450 N.E. 2nd Ave. • Suite 525 • Miami, FL 33132
305-995-7285 • 305-995-4760 (FAX) • arijo@dadeschools.net



Concurrency Management System (CMS)

Miami Dade County Public Schools

Miami-Dade County Public Schools

Concurrency Management System Preliminary Concurrency Analysis

MDCPS Application Number: PH3013052000457 Local Government (LG): Miami-Dade
 Date Application Received: 5/20/2013 1:07:07 PM LG Application Number: Z2013000041
 Type of Application: Public Hearing Sub Type: Zoning
 Applicant's Name: Palmer Lake Metropolitan Center
 Address/Location: Zoning Divison, DRER, 111 NW First Street, 11th Floor, Miami FL 33128
 Master Folio Number: 3031280220270
 Additional Folio Number(s):

PROPOSED # OF UNITS 1281

SINGLE-FAMILY DETACHED UNITS: 0

SINGLE-FAMILY ATTACHED UNITS: 0

MULTIFAMILY UNITS: 1281

CONCURRENCY SERVICE AREA SCHOOLS						
CSA Id	Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
2661	KENSINGTON PARK ELEMENTARY	51	119	51	NO	Current CSA
2661	KENSINGTON PARK ELEMENTARY	0	68	0	NO	Current CSA Five Year Plan
6091	CITRUS GROVE MIDDLE	316	65	65	YES	Current CSA
7341	MIAMI JACKSON SENIOR	806	77	77	YES	Current CSA
ADJACENT SERVICE AREA SCHOOLS						
3381	MIAMI SPRINGS ELEMENTARY	-52	68	0	NO	Adjacent CSA
3181	MELROSE EL	-161	68	0	NO	Adjacent CSA
3381	MIAMI SPRINGS ELEMENTARY	0	68	0	NO	Adjacent CSA Five Year Plan
3181	MELROSE EL	0	68	0	NO	Adjacent CSA Five Year Plan
*An Impact reduction of <u>19.5%</u> included for charter and magnet schools (Schools of Choice).						

MDCPS has conducted a preliminary public school concurrency review of this application; please see results above. A final determination of public school concurrency and capacity reservation will be made at the time of approval of plat, site plan or functional equivalent. **THIS ANALYSIS DOES NOT CONSTITUTE PUBLIC SCHOOL CONCURRENCY APPROVAL.**

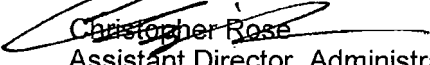
1450 NE 2 Avenue, Room 525, Miami, Florida 33132 / 305-995-7634 / 305-995-4760 fax /
 concurrency@dadeschools.net

Memorandum



Date: June 17, 2013

To: Eric Silva, Assistant Director
Regulatory and Economic Resources Department

From:  Christopher Rose
Assistant Director, Administration
Public Works and Waste Management Department

Subject: DiC #13-041
Department of Regulatory and Economic Resources

The Department's review of the above-referenced item is provided below. Final comments will be offered as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie of the Fiscal Management and Planning Division at 305-514-6661.

Application: *The Miami-Dade County Department of Regulatory and Economic Resources* is requesting a district boundary change to establish the Palmer Lake Metropolitan Urban Center (PLMUC) The property is currently zoned as a series of Industrial Districts to accommodate light (IU-1), heavy (IU-2), and unlimited (IU-3) uses.

Size: The subject property is approximately 220 acres.

Location: The subject property is located between SW 149th Avenue and SW 157th Avenue and between SW 172nd Terrace and SW 178th Terrace, in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 28, 2012, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

The property as mentioned in the application falls within the PWWM solid waste collection service area. The application proposes development of the PLMUC which includes industrial, office, retail, hotel and residential uses.

Single family homes, if developed, will meet the County Code definition of "residential unit." As such, according to Chapter 15 of the Miami-Dade Code entitled Solid Waste Management, the residential units on the property will receive PWWM waste collection service. Twice weekly curbside waste collection, twice per year scheduled bulky waste collection service, and unlimited use of the 13 Trash and Recycling Centers are the services currently provided to residential units in the PWWM solid waste collection service area.

Multi-family residential units, if developed, industrial, office, retail and hotel uses will likely be considered development for "commercial units." Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, requires the following of commercial developments located in unincorporated Miami-Dade County:

"every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." Therefore, the landlord or property owner is required to contact a private hauler to provide waste and recycling collection service. The collected material will subsequently be disposed of at PWWM facilities.

3. Recycling: Single Family Units

The PWWM provides curbside recycling services to **residential units** located in unincorporated Miami-Dade County through a private contractor. The single stream recycling program currently includes separation of glass, aluminum cans, steel cans, plastic bottles, newspaper and phone books. Further information may be obtained by calling the Department's Public Information & Outreach Division at 305-594-1500 or 305-514-6714.

Applicants are **strongly** advised to incorporate adequate space in their building plans to accommodate the recycling program (i.e. somewhere for residents to store their recycling carts).

4. Recycling: Multi-Family and Commercial Units

The following language from **Section 15-2.3a** requires commercial establishments "to provide for a recycling program, which shall be serviced by a permitted hauler or the appropriate governmental agency. The recycling program for commercial establishments must include a minimum of three (3) materials chosen from the following:

- | | |
|----------------------------------|--|
| 1) High grade office paper | 6) Steel (cans, scrap) |
| 2) Mixed paper | 7) other metals/scrap production materials |
| 3) Corrugated cardboard | 8) Plastics (PETE, HDPE-natural, HDPE-colored) |
| 4) Glass (flint, emerald, amber) | 9) Textiles |
| 5) Aluminum (cans, scrap) | 10) Wood |

Section 15-2.3 states the failure of a commercial establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner and the owner(s) and operator(s) of the commercial establishment shall be jointly and severally liable.

5. Waste Storage/Setout Considerations

Section 15-4 of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami-Dade County Code."

6. Site Circulation Considerations

It is required that development plans associated with this project incorporate at least one of the following traffic circulation criteria to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

- a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends")
- b. "T" shaped turnaround 60 feet long by 10 feet wide
- c. Paved throughway of adequate width (minimum 15 feet)

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle access. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.,) that would interrupt or preclude waste collection. **The PWWM has no objections to the proposed application.**

Memorandum



Date: June 13, 2013

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: José A. Ramos, R.A., Division Director
Aviation Planning, Land-Use and Grants Division
Aviation Department

Subject: DIC Application #13-041
Department of Regulatory and Economic Resources
Palmer Lake DBC Request
MDAD DN-13-06-1167

A handwritten signature in black ink, appearing to be "J. Ramos", written over the "From" field.

As per your request, the Miami-Dade Aviation Department (MDAD) has reviewed your Developmental Impact Committee (DIC) Zoning Hearing Application #13-041 requesting a District Boundary Change from IU-1, IU-2 and IU-3 to Palmer Lake Metropolitan Urban Center (PLMUC). The site is generally located north of NW 20th Street and the Tamiami Canal, east of the Seaboard Air Line Railroad and south of the Miami River. The size of the property is approximately 220+/- acres.

Based upon our review of the information provided, MDAD does not object to the zone change provided that all proposed uses comply with applicable local, state and federal aviation regulations including the Code of Miami-Dade County, Chapter 33, Airport Zoning.

C: Jorge Vital, DIC Coordinator, Department of Regulatory and Economic Resources

DATE: 05-JUN-13

**BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT**

**ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND
CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE**

DEPARTMENT OF REGULATORY
AND ECONOMIC RESOURCES

Lying north of NW 20th St and the
Tamiami Canal, east of the Seaboard
Air Line Railroad/south of the Miami
River

APPLICANT

ADDRESS

Z2013000041

HEARING NUMBER

HISTORY:

ENFORCEMENT HISTORY: NC: No open cases. BNC: No open/closed bss cases

Department of Regulatory and Economic Resources

**OUTSTANDING FINES, PENALTIES, COST OR LIENS
INCURRED PURSUANT TO CHAPTER 8CC:**

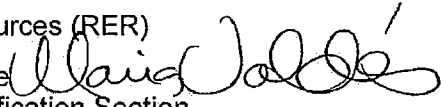
REPORTER NAME:

Memorandum



Date: June 4, 2013

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources (RER)

From: Maria A. Valdes, Chief, LEED® Green Associate 
Comprehensive Planning & Water Supply Certification Section

Subject: Palmer Lake Metropolitan Urban Center - DIC Application # Z2013000041

Below, please find the Miami-Dade Water and Sewer Department's (MDWASD) comments for the subject project. This application is for the re-zoning of the Palmer Lake Metropolitan Urban Center. The comments provided below are general for the subject area and as individual parcels are developed, they will be addressed on a case by case basis.

Application Name: Palmer Lake Metropolitan Urban Center

Proposed Development: The Palmer Lake Metropolitan Urban Center with land uses consisting of mixed use (industrial, office, retail, hotel and residential use).

Project Location: Lying generally north of NW 20th Street and the Tamiami Canal, east of the Seaboard Air Line Railroad and south of the Miami River, in unincorporated Miami-Dade County.

Water: The subject application is located within MDWASD's service area. Public water mains exist throughout the Palmer Lake Metropolitan Urban Center. Water infrastructure related to the development associated with the Miami Intermodal Center was conveyed to MDWASD on January 28, 2011. Said infrastructure was built to support future office for bus plaza, central station and joint development, and hotel use.

Agreement No. 21076 was requested for mix-use development in the area bounded by N.W. 37th Ave. and approximately N.W. 35th Ave., and the area south of N.W. 22nd St. and north of the river. Said Agreement was requested on February 19, 2013 and is pending to be offered. The Agreement will include the required 12-inch water main extensions within this area to support the mix-use development.

The remainder of the Palmer Lake Metropolitan Urban Center is supported by 8-inch, 12-inch, and 16-inch water mains. However, there are small sectors within the area that may require water main extensions to address future development. As such, at the time the development is initiated, existing infrastructure may need to be upgraded and additional water main extensions may be required. At the time of development, all projects will be evaluated on a case by case basis to determine the water main and fire hydrant needs for each individual project. The source of water for this area is the Hialeah Preston Water Treatment Plants (WTP). The plants are currently operating under a 20-year water use permit issued by the South Florida Water Management District on November 1, 2010.

A Water Supply Certification (WSC) from MDWASD will be required for all future development within the subject area. The WSC letter shall remain active in accordance with the terms and conditions specified in said Certification. Said Certification is issued to assure adequate water supply is available to all water users of the MDWASD as required by Policy CIE-5D and WS-2C in the County's CDMP and in accordance with the permitted withdrawal capacity in the MDWASD's 20-year Water Use Permit.

MDWASD will be the utility providing water services subject to the following conditions:

- Adequate transmission and Plant capacity exist at the time of the applicant's request.
- Adequate water supply is available prior to issuance of a building permit or its functional equivalent.
- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

Sewer: The subject application is located within MDWASD's service area. Sewer infrastructure related to the development associated with the Miami Intermodal Center was conveyed to MDWASD on January 28, 2011. Furthermore, for Agreement No. 21076 associated with the mix-use development to the east of N.W. 37th Ave. and south of N.W. 22nd Street, there is abutting sanitary sewer infrastructure on NW 37th Avenue and along NW 21st Street to which the developer may connect to provide service for this project. In addition, a new public sewage pump station which will be required with Agreement No. 21076 to replace Pump Station 102 which is currently in moratorium.

Public sanitary sewer exist throughout the application area, however, there are small sectors within the area that may require additional sanitary sewer infrastructure to address future development. At the time of development, all projects will be evaluated on a case by case basis to determine the sewer infrastructure needed for each individual project.

The Central District Wastewater Treatment Plant (WWTP) is the facility for treatment and disposal of the wastewater. This WWTP is currently operating under a permit from the Florida Department of Environmental Protection.

MDWASD will be the utility providing sewer services subject to the following conditions:

- Adequate transmission and plant capacity exist at the time of the owner's request. Capacity evaluations of the plant for average flow and peak flows will be required, depending on the compliance status of the United States Environmental Protection Agency (USEPA) Second and Final Partial Consent Decree, which may change in the future when the County enters into a new Consent Decree
- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

Below are the pump stations associated with the subject application and their corresponding NAPOT (Nominal Average Pump Operating Time).

P.S. 0088: 1.54 hrs.

P.S. 0089: 1.70 hrs.

P.S. 0102: 10.37 hrs. (Conditional Moratorium)

Water Conservation: All future development for the subject area will be required to comply with water use efficiency techniques for indoor water use in accordance with Section 8-31, 32-84 and 8A-381 of the Code of Miami-Dade County. In addition, the future development will be required to comply with the landscape standards in sections 18-A and 18-B of Miami-Dade County Code.

Palmer Lake Metropolitan Urban Center
DIC # 13-041
June 4, 2013

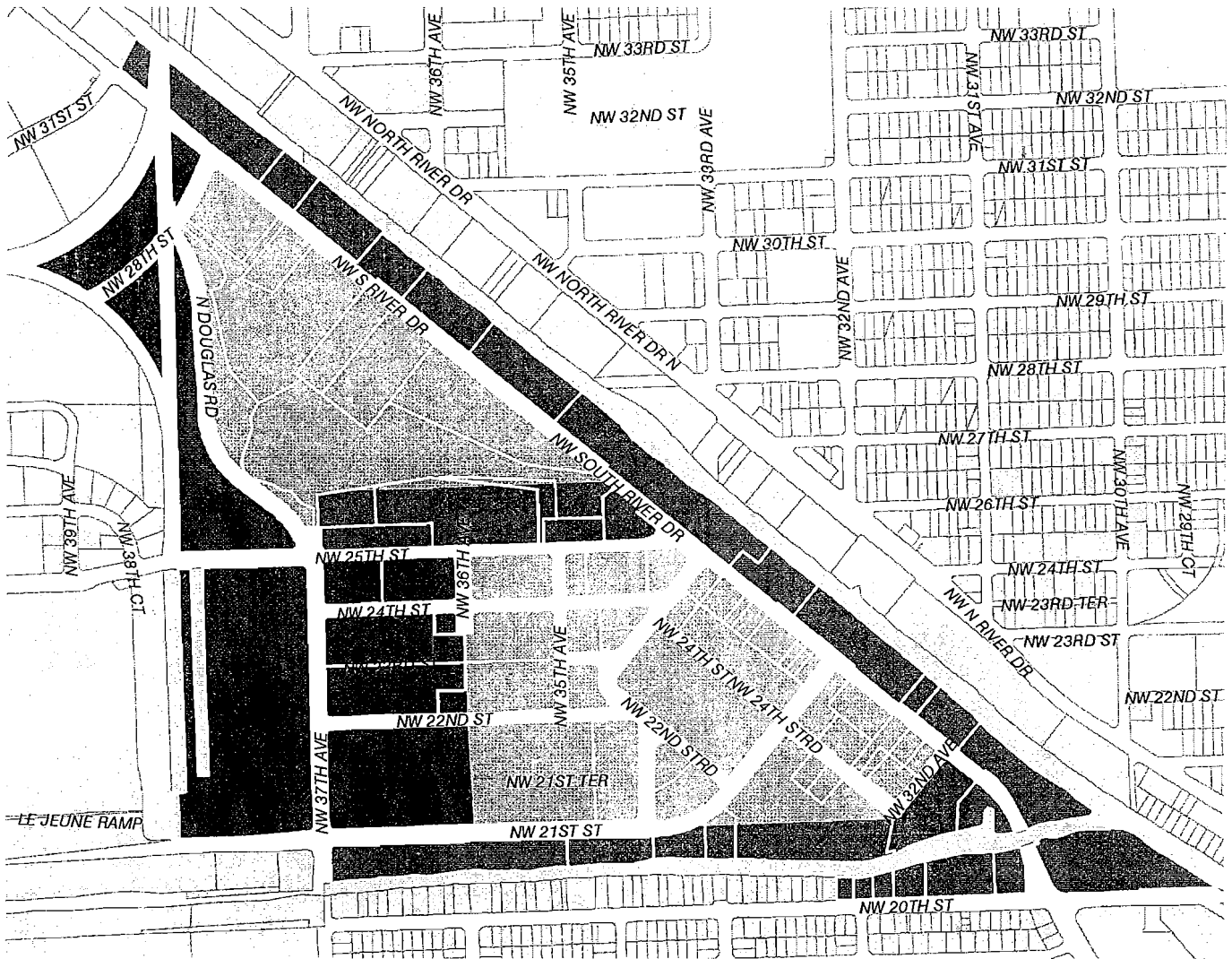
In addition, please note that Section 8A-381 (c) of the Miami-Dade County Code estates that, ***"Effective January 1, 2009, all permit applications for new multifamily residential developments shall be required to include a sub-meter for each individual dwelling unit."***

For more information about our Water Conservation Program please go to
<http://www.miamidade.gov/conservation/home.asp>.

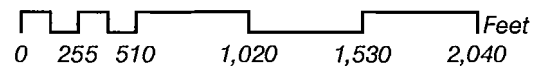
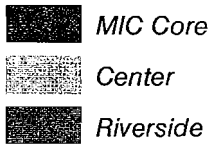
For information concerning the Water-Use Efficiency Standards Manual please go to
http://www.miamidade.gov/conservation/library/WUE_standards_manual_final.pdf

Should you have any questions, please call me at (786) 552-8198 or Alfredo Sanchez at (786) 552-8237.

Palmer Lake Metropolitan Urban Center Sub-Districts



Legend



Comparison of Existing Zoning and Proposed Palmer Lake Zoning

Use	Existing Zoning	Proposed Palmer Lake Zoning	Difference (Palmer Lake minus Existing)
Industrial	2,895,181 sq. ft.	2,552,770 sq. ft.	-342,411 sq. ft.
Office	772,048 sq. ft.	2,409,055 sq. ft.	+1,637,007 sq. ft.
Retail	0 sq. ft.	830,054 sq. ft.	+830,054 sq. ft.
Hotel	4,825 units	7,304 units	+2,479 units
Residential	0 units	1,281 units	+1,281 units



MIAMI-DADE COUNTY

AERIAL YEAR 2012

Process Number

Z2013000041



Section: 29/28 Township: 53 Range: 41

Applicant: DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES

Zoning Board: BCC

Commission District: 2/5/6

Drafter ID: JEFFER GURDIAN

Scale: NTS

Legend



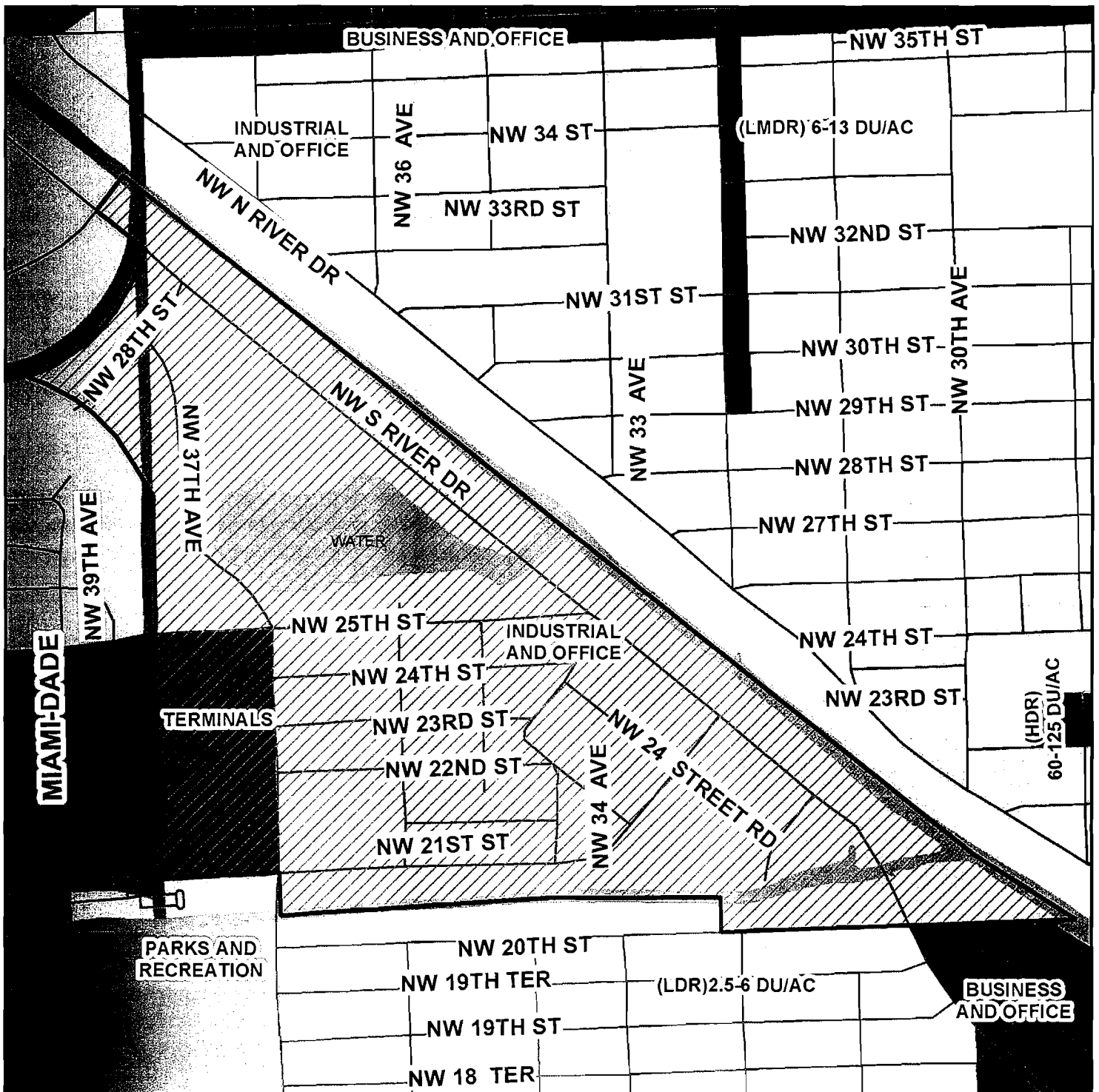
Subject Property



SKETCH CREATED ON: Wednesday, May 29, 2013

REVISION	DATE	BY
		47

REVISION	DATE	BY
		48



MIAMI-DADE COUNTY
CDMP MAP

Process Number

Z2013000041



Section: 29/28 Township: 53 Range: 41

Applicant: DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES

Zoning Board: BCC

Commission District: 2/5/6

Drafter ID: JEFFER GURDIAN

Scale: NTS

Legend



Subject Property Case



SKETCH CREATED ON: Wednesday, May 29, 2013

REVISION	DATE	BY

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to the Board of County Commissioners**

PH: Z13-054 (13-9-CZ11-3)

September 26, 2013

Item No. 3

Recommendation Summary	
Commission District	9
Applicants	Venetian Lennar, LLC & Venetian By Luxcom, LLC
Summary of Requests	The applicant is seeking to modify a previously approved declaration of restrictions in order to reflect the modified area of land that the Miami-Dade County Parks and Recreation Department has agreed to accept for park purposes and to delete a superseded declaration of restrictions.
Location	SW 149 Ave & SW 157 Ave, between SW 172 Terrace and SW 178 Terrace, Miami-Dade County, Florida.
Property Size	120 +/- acres
Existing Zoning	RU-1M(a), RU-TH and AU
Existing Land Use	Vacant land
2015-2025 CDMP Land Use Designation	Low Density Residential (<i>see attached Zoning Recommendation Addendum</i>)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(7) Generalized Modification Standards (<i>see attached Zoning Recommendation Addendum</i>)
Recommendation	Approval with conditions, subject to the acceptance of the revised covenant.

REQUESTS:

- (1) MODIFICATION of Paragraph #10 of a Declaration Restrictions Recorded in ORB 25739, Pages 2130-2175, reading as follows:

From: "(10) **Park Sites Dedication and Improvements.** Prior to the approval of a final plat for the property, the owner agrees to proffer a separate instrument in favor of Miami-Dade County for the dedication of up to a total of +/- 6.00 acres of land (the "Park Sites") for public parks purposes, all as depicted on the Plan. The Park Sites shall be cleared, filled, and sodded. in addition, included in the Park Sites is a +/-4.00 acre park site located on the northwest corner of the Property, which park site shall be improved with a walking path, benches, a gazebo, and street trees planted 35 feet on center, all pursuant to a plan approved by the Parks and Recreation Department.

The Owner's obligations to improve the Park Sites are specifically subject to, and contingent on, the receipt of the approval of the Director of the Parks and Recreation Department of a credit for the cost of the improvements against the improvement component of the total parks impact fees that will be assessed against the future development of the Property.

In the event the Park Sites are not acceptable by the County, unless the County approves otherwise, the Park Sites shall be maintained as open space through a homeowners association, special taxing district or community development district,

TO: "(10) **Park Sites Dedication and Improvements.** Prior to the approval of a final plat for the Property, the Owner agrees to proffer a separate instrument in favor of Miami-Dade County for the dedication of up to a total of +/- 4.00 acres of land (the "Park Site") for public park purposes, all as depicted on the plan. The Park Site shall be cleared, filled, and sodded. The Park Site is a +/-4.00 acre park site located on the northwest corner of the Property, which park site shall be improved with a walking path, benches, a gazebo, and street trees planted 35 feet on center, all pursuant to a plan approved by the Parks and Recreation Department.

The Owner's obligations to improve the Park Site are specifically subject to, and contingent on, the receipt of the approval of the Director of the Miami-Dade County Parks, Recreation and Open Space Department of a credit for the cost of the improvements against the improvement component of the total parks impact fees that will be assessed against the future development of the Property.

In the event the Park Site is not acceptable by the County, unless the County approves otherwise, the Park Site shall be maintained as open space through a homeowners association, special taxing district or community development district, subject to the approval of such special taxing district or community development district by the County.

The purpose of the request is to reduce the amount of acreage to be dedicated to the Miami-Dade County Parks, Recreation and Open Space Department from +/-6.00 acres of multiple Park Sites to a single +/-4.00 acres Park Site located on the northwest corner of the property, adjacent to SW 157 Avenue.

- (2) DELETION of a Declaration of Restrictions recorded in Official Records Book 14792, Pages 1428-1440.

The purpose of the request is to release the Declaration of Restrictions since it was superseded by a subsequent zoning action pursuant to Resolution CZAB11-15-07.

PROJECT DESCRIPTION AND PROJECT HISTORY:

In 1990, pursuant to Resolution #Z-169-90, the subject property was granted rezoning approval from AU, Agricultural District, to RU-1, Single-Family Residential District, and EU-M, Single-Family Modified Estate District. In addition, a restrictive covenant, recorded in the Public Records Book 14792 Page 1428, was also approved restricting the development of the site to the 1990 site plan. In 2007, pursuant to Resolution #CZAB11-15-07, the subject property was rezoned to a mix of RU-TH, Townhouse District and RU-1M(a), Modified Single-Family Residential District zoning classifications. The approved application consisted of a proposed development with 672 residential units made up of 268 townhouses and 404 single-family residences. As part of that application, the applicant proffered a covenant that among other things provided for a park dedication of \pm 6.0 acres of land for public park purposes to the Miami-Dade County Parks, Recreation and Open Space Department, as depicted on the site plan.

The current application seeks to modify the 2007 Declaration of Restrictions proffered park land dedication to the Miami-Dade County Parks, Recreation and Open Space Department from 6.0 acres to 4.0 acres of land. Said Declaration of Restrictions provides that any modification, amendment or release must be approved by the Board of County Commissioners of Miami-Dade County after public hearing. The applicant also seeks to delete the restrictive covenant,

recorded in the Public Records Book 14792 Page 1428, which restricts the development of the site to the 1990 site plan.

NEIGHBORHOOD CHARACTERISTICS		
Zoning and Existing Use		Land Use Designation
Subject Property	RU-TH and RU-1M(a); vacant land	Low Density Residential (2.5 to 6 dua)
North	EU-1, EU-M, and RU-1; single-family residences	Low Density Residential (2.5 to 6 dua)
South	RU-1M(a), EU-M, and RU-1; vacant land and single-family residences	Low Density Residential (2.5 to 6 dua)
East	RU-1: single-family residences	Low Density Residential (2.5 to 6 dua)
West	AU; vacant land	Agriculture

NEIGHBORHOOD COMPATIBILITY:

The subject parcel is located south of SW 172 Terrace and north of SW 176 Terrace, and east of SW 157 Avenue and west of SW 152 Avenue, in an area predominately developed with single-family residences. To the west of SW 157 Avenue is the Urban Development Boundary line, which is made up of vacant agricultural parcels.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to continue to provide the community with public and private park land open space.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates this site as **Low Density Residential** on the Adopted 2015-2025 LUP map. *This designation permits a density range of a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. The Land Use Element Interpretive Text under Residential Communities provides that this density category is generally characterized by single family housing, e.g., single family detached, cluster, and townhouses.* The approval of the requests sought in this application will not add additional dwelling units to the site beyond what was previously approved or what is allowed by the LUP map of the CDMP. Therefore, staff opines that the subject requests are **consistent** with the uses allowed in the Low Density Residential category and the density threshold for this land use category and are consistent with the designation of the site on the CDMP LUP map.

ZONING ANALYSIS:

When request #1 is analyzed under Section 33-311(A)(7), **General Modification Standards**, staff opines that the proposed modification of the previously approved site plan to reduce the dedicated park site to the Miami-Dade County Parks, Recreation and Open Space Department from 6.0 acres to 4.0 acres will not generate excessive noise or traffic, provoke excessive

overcrowding of people, tend to provoke a nuisance, and would be **compatible** with the surrounding area.

Staff notes that the Miami-Dade County Parks, Recreation and Open Space Department memorandum states Tracks B and K, which make up the remaining ± 2.0 acres of park land, will be released due to the size, shape and configuration of the parcel that do not meet desired criteria for public parks by the Miami-Dade County Parks, Recreation and Open Space Department and that Tract N, the ± 4.0 acre site will be retained by the Miami-Dade County Parks, Recreation and Open Space Department. The applicant's letter of intent indicates that the remaining ± 2.0 acres of park land will be developed as private common open space in accordance with the approved plans. Staff opines that the reduction of land dedication to the Miami-Dade County Parks, Recreation and Open Space Department will not actually reduce the amount of park sites for the proposed development, given that the remaining ± 2.0 acres of park land will be maintained as open space through the homeowners association. Furthermore, staff opines that approval of this request will not have a negative impact on the surrounding roadways or create a fire hazard based on the recommendations and/or information contained in memoranda from the Miami-Dade County Public Works and Waste Management and Fire Rescue Departments. As such, staff opines that the proposed reduction of park land dedication will not result in any adverse impacts to the subject property or surrounding area. Additionally, when considering the necessity for and reasonableness of the modification in relation to the present and future development of the area concerned, staff opines that approval of this application would be compatible with the same. **Therefore, staff recommends approval with conditions of request #1 subject to the acceptance of the revised covenant, under the Generalized Modification Standards, Section 33-311(A)(7).**

When request #2 is analyzed under the Generalized Modification Standards Section 33-311(A)(7), the proposed deletion will not, in staff's opinion, generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, provoke excessive overcrowding of people, tend to provoke a nuisance, be incompatible with the area, nor be contrary to the public interest. Request #2 seeks to delete a declaration of restrictions covenant that among other things requires the site to be developed in accordance with a site plan that was approved pursuant to Resolution Z-169-90. In 1990, as previously stated, Resolution #Z-169-90 granted rezoning approval from AU to RU-1 and EU-M on the subject property. In addition, a restrictive covenant, recorded in the Public Records Book 14792 Page 1428, was also approved restricting the development of the site to the 1990 site plan. Subsequently, in 2007, pursuant to Resolution #CZAB11-15-07, the subject property was rezoned to a mix of RU-TH and RU-1M(a) and new site plans were approved. Consequently, Resolution #CZAB11-15-07 has rendered the 1990 covenant moot; therefore, the purpose of request #2 is to release said covenant. Consequently, staff opines that the approval of the applicants' request for a deletion of a previously approved Declaration of Restrictions to delete a previously approved site plan is **consistent** with the LUP Map and the interpretative text of the CDMP and **compatible** with the surrounding area.

ACCESS, CIRCULATION AND PARKING: None.

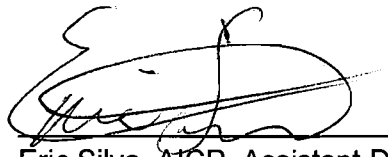
NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

RECOMMENDATION: Approval with conditions, subject to the acceptance of the revised covenant.

CONDITION FOR APPROVAL:

That all the conditions of Resolution #CZAB11-15-07, remain in full force and effect except as herein modified.

ES:MW:NN:CH:JC

A handwritten signature in black ink, appearing to read "Eric Silva", is written over a horizontal line.

Eric Silva, ATCP, Assistant Director
Development Services Division
Miami-Dade County
Department of Regulatory and Economic Resources

NDN

ZONING RECOMMENDATION ADDENDUM

Venetian Lennar, LLC & Venetian By Luxcom, LLC
Z13-054

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resources Management (RER)	No objection
Platting and Traffic Review Section (RER)	No objection
Parks, Recreation & Open Spaces	No objection
Miami-Dade Transit	No comment
Fire Rescue	No objection
Police	No objection
Schools	No comment
*Subject to conditions in their memorandum.	

COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

Low Density Residential (Pg. I-31)	<i>The Adopted 2015 and 2025 Land Use Plan designates the subject property as being within the Urban Development Boundary for Low Density Residential. This category allows a range in density from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. The types of housing typically found in areas designated low density include single-family housing e.g., single family detached, cluster and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i>
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PERTINENT ZONING REQUIREMENTS/STANDARDS

Section 33-311(A)(7) Generalized Modification Standards	<i>The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.</i>
Section 33- 314 Direct applications and appeals to the County Commission.	<p>(C) The County Commission shall have jurisdiction to directly hear other applications as follows:</p> <p style="text-align: center;">* * *</p> <p>(3) Applications to modify or eliminate any provision of restrictive covenants, or part thereof, accepted at public hearing, where the covenant provides that only the Board of County Commissioners may modify or eliminate the provisions of such covenant.</p>

3. VENETIAN LENNAR, LLC/VENETIAN LUX
(Applicant)

13-9-CC-3 (13-054)
BCC/District 09
Hearing Date: 09/26/13

Property Owner (if different from applicant) **Same.**

Is there an option to purchase ☐ /lease ☐ the property predicated on the approval of the zoning request? Yes ☐ No ☒

Disclosure of interest form attached? Yes ☒ No ☐

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1982	United Brands Floriculture Inc.	- Non-Use Variance of Zoning regulation to permit the maintenance and continued use of 4 trailers.	ZAB	Approved with condition(s).
1990	Sunbow Realty Inc.	- Zone change from AU to RU-1, EU-M and EU-1. - Declaration of Restrictions.	BCC	Approved
1990	Sunbow Realty Inc.	- Zone change from AU to RU-1, EU-M and EU-1. - Declaration of Restrictions.	BCC	Approved
2007	Quantum Ventures LLC	- Zone change from AU, EU-M to RU-TH on Parcels "B" & "D".	C-11	Approved on a Modified Basis

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

Memorandum



Date: June 21, 2013

To: Jack Osterholt, Director
Department of Regulatory and Economic Resources

From: Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources

A handwritten signature in black ink, appearing to read "Jose Gonzalez", written over the printed name and title.

Subject: C-11 #Z2013000054
Venetian Lennar, LLC and Venetian By Luxcom, LLC
Lying between SW 149th Avenue and SW 157th Avenue, and
between SW 172nd Terrace and SW 178th Terrace, Miami-Dade
County, Florida
Modification of a Previous Agreement to Modify the Amount of Park
Land Required for Public Park Purposes.
(RU-1(M)(a)) (114.72 Acres)
33-55-39

The subject application has been reviewed by the Department of Regulatory and Economic Resources-Division of Environmental Resources Management (DERM) for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

Potable Water Supply and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required in accordance with Code requirements.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternative means of sewage disposal. Use of an alternative means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management

A Surface Water Management General Permit shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to any future

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development order approval. The applicant is advised to contact the Water Control Section at (305) 372-6681 for further information regarding permitting procedures and requirements.

Stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage plans shall provide for full on-site retention of the stormwater runoff generated by a 5-year / 1-day storm event.

Site grading and development shall provide for the full retention of the 25-year/3-day storm event and shall also comply with the requirements of Chapter 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

Wetlands

The subject properties do not contain wetlands as defined by Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation

The subject property may contain specimen-sized (trunk diameter 18 inches or greater) trees along the right of way of SW 157th Avenue. Section 24-49.2(II) the Code requires that specimen trees be preserved whenever reasonably possible. A Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said Tree Removal Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is required to comply with the above tree permitting requirements. Approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application.

The applicant is advised to contact the Tree Permitting Program for additional information regarding tree permitting procedures and requirements prior to site development.

Enforcement History

The subject properties have one (1) closed enforcement records for violations of Chapter 24 of the Code. Please contact the Enforcement Section if you require additional information.

Concurrency Review Summary

A concurrency review has been conducted for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute written approval as required by Chapter 24 of the Code.

If you have any questions concerning the comments or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

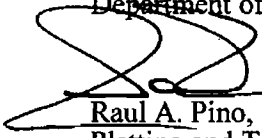
cc: Eric Silva, Department of Regulatory and Economic Resources

Memorandum



Date: June 27, 2013

To: Eric Silva, Assistant Director
Department of Regulatory and Economic Resources

From:  Raul A. Pino, PLS, Chief
Platting and Traffic Review Section
Department of Regulatory and Economic Resources

Subject: Z2013000054
Name: Venetian Lennar, LLC/Venetian Lux.
Location: SW 149 Ave & SW 157 Ave between SW 172 Terr & 178 Terr
Section 33 Township 55 South Range 39 East

The Department of Regulatory and Economic Resources Platting and Traffic Review Section has reviewed the subject application and has no objections.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. Any right-of-way dedications and/or improvements required will be accomplished thru the recording of a plat.


This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This application meets the traffic concurrency criteria set for an Initial Development Order.

Memorandum



Date: June 14, 2013

To: Eric Silva, Assistant Director
Regulatory and Economic Resources Department

From: 
Assistant Director, Administration
Public Works and Waste Management Department

Subject: DIC #13-054
Venetian Lennar, LLC/ Venetian by Luxcom, LLC

The Department's review of the above-referenced item is provided below. Final comments will be offered as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie of the Fiscal Management and Planning Division at 305-514-6661.

Application: *Venetian Lennar, LLC/ Venetian by Luxcom, LLC* is requesting a modification of an existing covenant recorded at Official Records Book 25739, Pages 2130-2175 and a deletion of an existing covenant recorded at Official Records Book 14792, Pages 1428-1440. The property is currently zoned Modified Single Family Residential District (RU-1M (a)) and Townhouse District (RU-TH).

Size: The subject property is approximately 114.72 acres.

Location: The subject property is located between SW 149th Avenue and SW 157th Avenue and between SW 172nd Terrace and SW 178th Terrace, in Miami-Dade County, Florida.

Analysis:

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 28, 2012, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

The property as mentioned in the application falls within the PWWM solid waste collection service area. The application proposes the development of a vacant lot to build detached and attached single family homes, which will meet the County Code definition of "residential unit." As such, according to Chapter 15 of the Miami-Dade Code entitled Solid Waste Management, the residential units on the property will

12

receive PWWM waste collection service. Twice weekly curbside waste collection, twice per year scheduled bulky waste collection service, and unlimited use of the 13 Trash and Recycling Centers are the services currently provided to residential units in the PWWM solid waste collection service area.

3. Recycling

The PWWM provides curbside recycling services to **residential units** located in unincorporated Miami-Dade County through a private contractor. The single stream recycling program currently includes separation of glass, aluminum cans, steel cans, plastic bottles, newspaper and phone books. Further information may be obtained by calling the Department's Public Information & Outreach Division at 305-594-1500 or 305-514-6714.

Applicants are **strongly** advised to incorporate adequate space in their building plans to accommodate the recycling program (i.e. somewhere for residents to store their recycling carts).

4. Waste Storage/Setout Considerations

Section 15-4 of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami-Dade County Code."

5. Site Circulation Considerations

It is required that development plans associated with this project incorporate at least one of the following traffic circulation criteria to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

- a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends")
- b. "T" shaped turnaround 60 feet long by 10 feet wide
- c. Paved throughway of adequate width (minimum 15 feet)

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle access. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.) that would interrupt or preclude waste collection. **The PWWM has no objections to the proposed application.**

Memorandum



Date: June 18, 2013

To: Jack Osterholt, Deputy Mayor
Director, Regulatory and Economic Resources Department

From: Maria I. Nardi, Chief *M.I. Nardi*
Planning and Research Division
Parks, Recreation and Open Spaces Department

Subject: Z2013000054: VENETIAN LENNAR, LLC/VENETIAN LUX

Application Name: VENETIAN LENNAR, LLC/VENETIAN LUX

Project Location: The site is located at 149&157AV BET SW172 & 178 TER, Miami-Dade County.

Proposed Development: The request is to seek approval for modification of a covenant to reflect the park areas in which MPROS will release Tracts B and K but retain the 4± acre parcel adjacent to SW 157 Ave (Tract N) and next to the school site as described in the modification of Condition #10 of the Venetian Parc Declaration per the letter of intent dated May 22, 2013. Tracts B and K are released due to the size, shape and configuration of the parcels that do not meet desired criteria for public parks by PROS.

Impact and demand: This application does not affect the approved plans or residential density and therefore does not generate any additional residential population applicable to CDMP Open Space Spatial Standards.

Recommendation:

We have no objections to the application.

If you need additional information or clarification on this matter, please contact John Bowers at (305) 755-5447.

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor

Memorandum



Date: 04-JUN-13
To: Jack Osterholt, Director
Department of Regulatory and Economic Resources
From: Dave Downey, Fire Chief
Miami-Dade Fire Rescue Department
Subject: Z2013000054

Fire Prevention Unit:

No objection via case # Z2013000054.

Service Impact/Demand

Development for the above Z2013000054
located at *149&157AV BET SW172&178TER, MIAMI-DADE COUNTY, FLORIDA.
in Police Grid 2080 is proposed as the following:

N/A residential	dwelling units	N/A industrial	square feet
N/A Office	square feet	N/A institutional	square feet
N/A Retail	square feet	N/A nursing home/hospitals	square feet

Based on this development information, estimated service impact is: N/A alarms-annually.
The estimated average travel time is: 7:12 minutes

Existing services

The Fire station responding to an alarm in the proposed development will be:
Station 43 - Richmond - 13390 SW 152 Street
Rescue, ALS 65' Aerial, (TRT)

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:
None.

Fire Planning Additional Comments

Not applicable to service impact analysis.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue
Department Planning Section at 786-331-4540.

15

DATE: 14-AUG-13

BUILDING AND NEIGHBORHOOD
COMPLIANCE DEPARTMENT

ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND
CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE

VENETIAN LENNAR, LLC AND
VENETIAN BY LUXCOM, LLC

*149&157AV BET SW172&178TER,
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2013000054

HEARING NUMBER

HISTORY:

NC: THERE ARE NO CURRENT OPENED OR CLOSED NEIGHBORHOOD COMPLIANCE CASES.
BLDG: THERE ARE NO CURRENT OPENED OR CLOSED BUILDING SUPPORT CASES.

VENETIAN LENNAR, LLC/VENETIAN LUX

**OUTSTANDING FINES, PENALTIES, COST OR LIENS
INCURRED PURSUANT TO CHAPTER 8CC:**

REPORTER NAME:

DISCLOSURE OF INTEREST*

If a **CORPORATION** owns or leases the subject property, list principal, stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Venetian Lennar, LLC

NAME AND ADDRESS:

Percentage of
Stock

See attached Exhibit "C"

If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME: _____

NAME AND ADDRESS

Percentage of Interest

If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where partner(s) consist of other partnership(s), corporation(s), trust(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interests].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

NAME AND ADDRESS

Percentage of Ownership

RECEIVED
215-849
MAY 11 2011

ZONING DEPARTMENT
PLANNING AND ZONING DEPT.
BY 

If there is a **CONTRACT FOR PURCHASE** by a Corporation, Trust or Partnership, list purchasers below including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: _____

NAME AND ADDRESS (if applicable)

Percentage of
Interest

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust:

NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

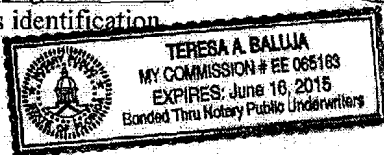
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: _____

Carlos Gonzalez, Vice President

Sworn to and subscribed before me this 19 day of March, 2013. Affiant is personally known to me or has produced _____ as identification.

(Notary Public)



My commission expires 6/16/15

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.



ZONING DEPARTMENT
MINNAPOLIS PLANNING AND ZONING DEPT.
BY: _____

Exhibit "C"

Corporation Name: Venetian Lennar, LLC

Venetian Lennar LLC is 100% owned by Lennar Homes LLC.

<u>Name and Address:</u>	<u>Percentage of Stock</u>
Lennar Homes, LLC	99%
U.S. Home Corporation (A wholly owned subsidiary of Lennar Corporation*)	1%

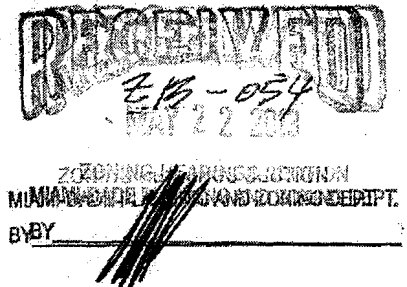
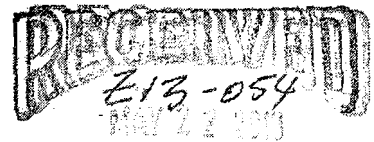


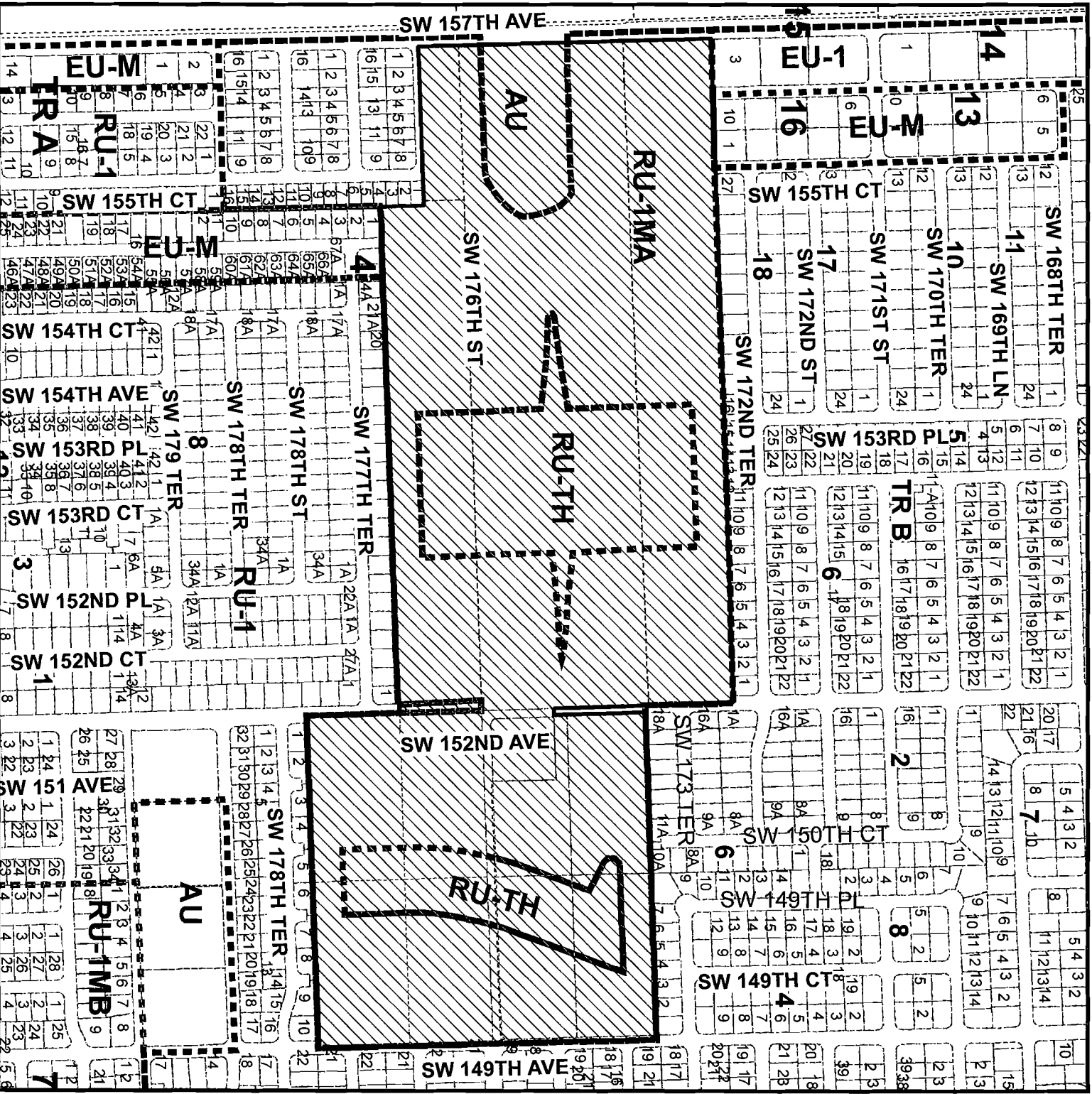
Exhibit "B"

LIST OF FOLIO NUMBERS

30-5933-000-0041
30-5933-000-0030
30-5933-000-0025
30-5933-000-0055



ZONING DEPARTMENT
MAY 22 2013
BY _____




MIAMI-DADE COUNTY
HEARING MAP

Process Number

Z2013000054

Legend

 Subject Property Case


Section: 33 Township: 55 Range: 39
Applicant: VENETIAN LENNAR, LLC/VENETIAN LUX.
Zoning Board: BCC
Commission District: 9
Drafter ID: JEFFER GURDIAN
Scale: NTS



REVISION	DATE	BY
		21

00		
BY	DATE	REVISION



Legend  Subject Property



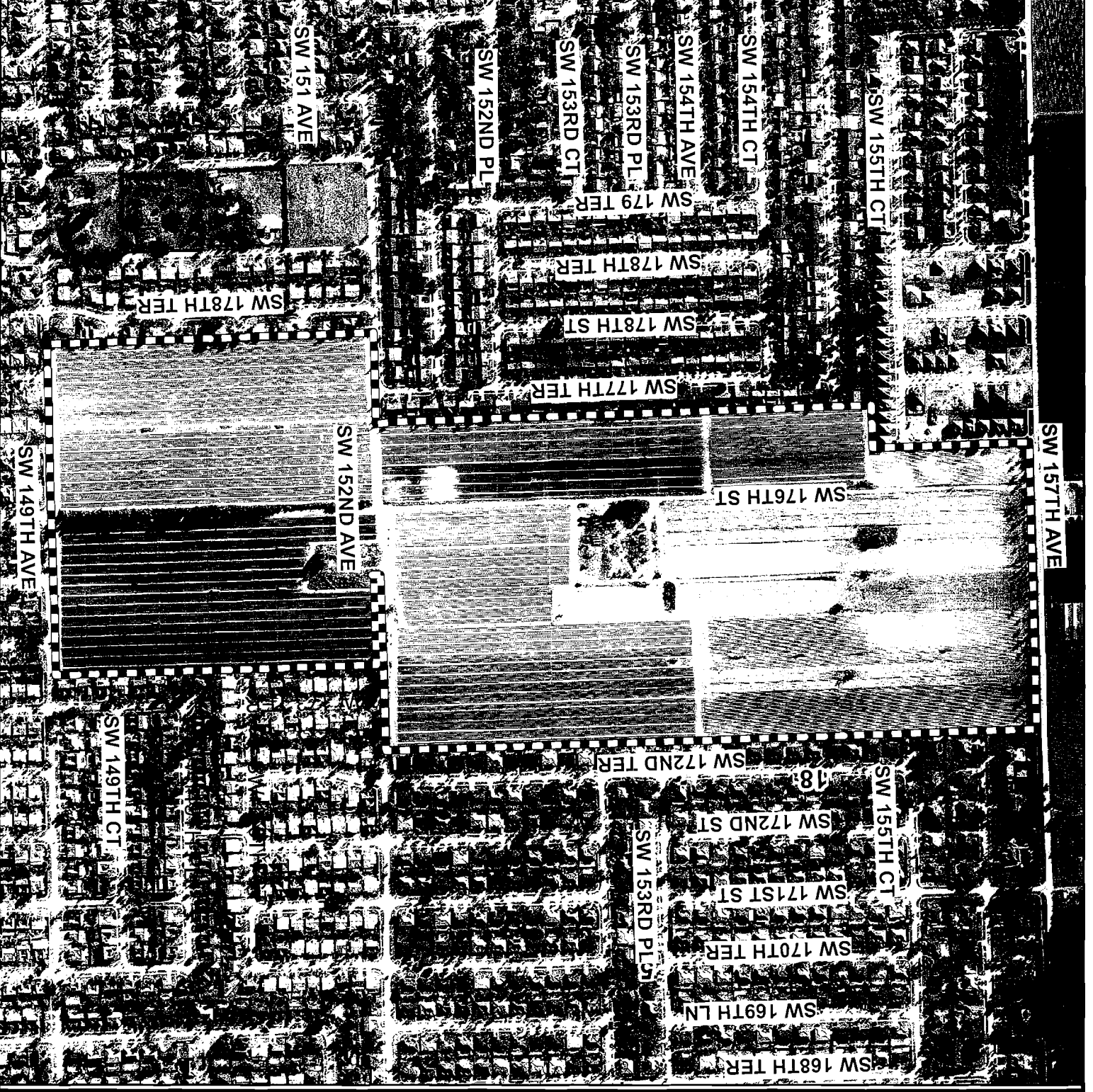
Z2013000054

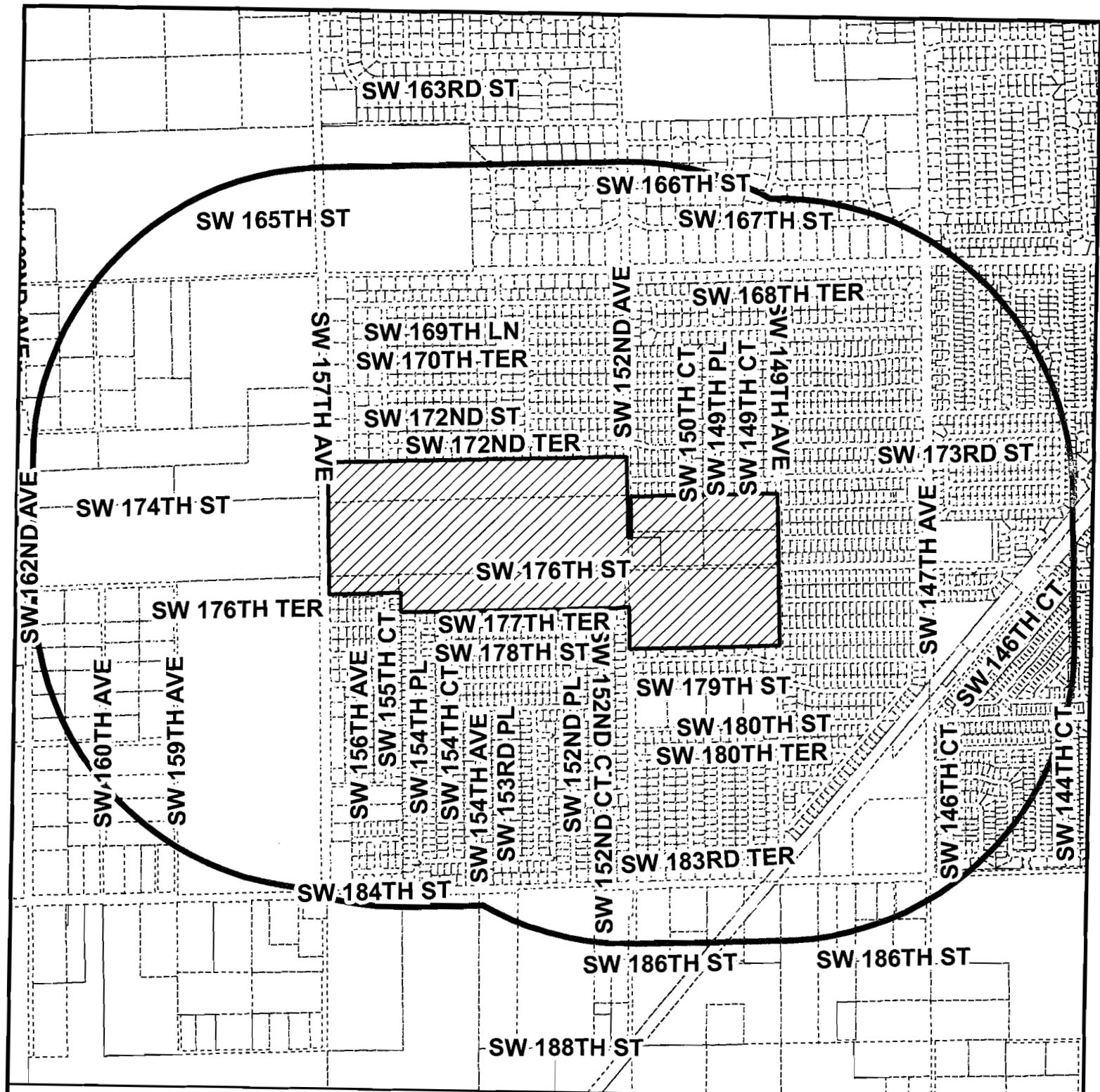
Process Number

MIAMI-DADE COUNTY

AERIAL YEAR 2012

Section: 33 Township: 55 Range: 39
Applicant: VENETIAN LENNAR, LLC/VENETIAN LUX.
Zoning Board: BCC
Commission District: 9
Drafter ID: JEFFER GURDIAN
Scale: NTS





MIAMI-DADE COUNTY
RADIUS MAP

Process Number

Z2013000054

RADIUS: 2640

Section: 33 Township: 55 Range: 39

Applicant: VENETIAN LENNAR,LLC/VENETIAN LUX.



Zoning Board: BCC

Commission District: 9

Drafter ID: JEFFER GURDIAN

Scale: NTS

Legend

-  Subject Property
-  Buffer

MIAMI-DADE
COUNTY

SKETCH CREATED ON: Tuesday, July 23, 2013

REVISION	DATE	BY
		23

AGRICULTURE

SW 157TH AVE

SW 168TH TER

SW 169TH LN

SW 170TH TER

SW 171ST ST

SW 172ND ST

18

SW 172ND TER

SW 153RD PL

(LDR) 2.5-6 DU/AC

SW 150TH CT

SW 149TH PL

SW 149TH CT

SW 173 TER

SW 176TH ST

SW 152ND AVE

SW 149TH AVE

SW 177TH TER

SW 178TH ST

SW 178TH TER

SW 178TH TER

SW 179 TER

SW 155TH CT

SW 154TH CT

SW 154TH AVE

SW 153RD PL

SW 153RD CT

SW 152ND PL

SW 151 AVE

MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2013000054

Section: 33 Township: 55 Range: 39

Applicant: VENETIAN LENNAR,LLC/VENETIAN LUX.

Zoning Board: BCC

Commission District: 9

Drafter ID: JEFFER GURDIAN

Scale: NTS

Legend



Subject Property Case



Zoning



MIAMI-DADE
COUNTY

SKETCH CREATED ON: Tuesday, July 23, 2013

REVISION	DATE	BY

PLANNING AND ZONING
AGENDA OFFICE

2013 SEP 10 A 9:30

Draft
BCC September 26, 2013
Item #3 - Z13-054
Venetian Lennar, LLC &
Venetian by Luxcom, LLC

This instrument was prepared by:

Name: Juan J. Mayol, Jr., Esq.
Address: Holland & Knight LLP
701 Brickell Avenue
Suite 3000
Miami, Florida 33131

(Space reserved for Clerk of Court)

**MODIFICATION OF DECLARATION OF RESTRICTIONS
RECORDED AT OFFICIAL RECORDS BOOK 25739 AT PAGES 2130 - 2175**

THIS MODIFICATION OF DECLARATION OF RESTRICTIONS is made this ____ day of _____, 2013, by Venetian Lennar, LLC, and Venetian By Luxcom, LLC, Florida limited liability companies (the "Owners"), in favor of Miami-Dade County, a political subdivision of the State of Florida (the "City").

WITNESSETH:

WHEREAS, the Owners hold fee simple title to that certain parcel of land located in unincorporated Miami-Dade County, Florida, which is more particularly described in the attached Exhibit "A" (the "Property"); and

WHEREAS, a Declaration of Restrictions in favor of Miami-Dade County, was recorded in the Public Records of Miami-Dade County in Official Records Book 25739 at Pages 2130 - 2175 (the "Declaration"), which placed certain restrictions and conditions on the development of the Property, a copy of which is attached as Exhibit "B"; and

WHEREAS, the Miami-Dade County Board of County Commissioners held a public hearing on _____ wherein it adopted Resolution No. _____ (the "Resolution")

to approve, in relevant part, a modification to the Declaration; and

WHEREAS, the Resolution approved the modification of Paragraph No. 10 of the Declaration as follows:

FROM:

"(10) **Park Sites Dedication and Improvements.** Prior to the approval of a final plat for the Property, the Owner agrees to proffer a separate instrument in favor of Miami-Dade County for the dedication of up to a total of ± 6.00 acres of land (the "Park Sites") for public park purposes, all as depicted on the Plan. The Park Sites shall be cleared, filled, and sodded. In addition, included in the Park Sites is a ± 4.00 acre park site located on the northwest corner of the Property, which park site shall be improved with a walking path, benches, a gazebo, and street trees planted 35 feet on center, all pursuant to a plan approved by the Parks and Recreation Department.

The Owner's obligations to improve the Park Sites are specifically subject to, and contingent on, the receipt of the approval of the Director of the Parks and Recreation Department of a credit for the cost of the improvements against the improvement component of the total parks impact fees that will be assessed against the future development of the Property.

In the event the Park Sites are not acceptable by the County, unless the County approves otherwise, the Park Sites shall be maintained as open space through a homeowners association, special taxing district or community development district, subject to the approval of such special taxing district or community development district by the County.

TO:

"(10) **Park Sites Dedication and Improvements.** Prior to the approval of a final plat for the Property, the Owner agrees to proffer a separate instrument in favor of Miami-Dade County for the dedication of up to a total of ± 4.00 acres of land (the "Park Site") for public park purposes, all as depicted on the Plan. The Park Site shall be cleared, filled, and sodded. The Park Site is located on the northwest corner of the Property, which park site shall be improved with a walking path, benches, a gazebo, and street trees planted 35 feet on center, all pursuant to a plan approved by the Parks and Recreation Department.

The Owner's obligations to improve the Park Site are specifically subject to, and contingent on, the receipt of the approval of the Director of the Parks and Recreation Department of a credit for the cost of the improvements against the improvement component of the total parks impact fees that will be assessed against the future development of the Property.

In the event the Park Site is not acceptable by the County, unless the County approves otherwise, the Park Site shall be maintained as open space through a

homeowners association, special taxing district or community development district, subject to the approval of such special taxing district or community development district by the County."

NOW, THEREFORE, IN ORDER TO ASSURE Miami-Dade County that the representations made by the Owners during its consideration of the Application will be abided by, the Owners freely, voluntarily, and without duress, hereby agree as follows:

1. Paragraph No.10 of the Declaration now reads as follows:

"(10) **Park Sites Dedication and Improvements.** Prior to the approval of a final plat for the Property, the Owner agrees to proffer a separate instrument in favor of Miami-Dade County for the dedication of up to a total of ±4.00 acres of land (the "Park Site") for public park purposes, all as depicted on the Plan. The Park Site shall be cleared, filled, and sodded. The Park Site is located on the northwest corner of the Property, which park site shall be improved with a walking path, benches, a gazebo, and street trees planted 35 feet on center, all pursuant to a plan approved by the Parks and Recreation Department.

The Owner's obligations to improve the Park Site are specifically subject to, and contingent on, the receipt of the approval of the Director of the Parks and Recreation Department of a credit for the cost of the improvements against the improvement component of the total parks impact fees that will be assessed against the future development of the Property.

In the event the Park Site is not acceptable by the County, unless the County approves otherwise, the Park Site shall be maintained as open space through a homeowners association, special taxing district or community development district, subject to the approval of such special taxing district or community development district by the County."

2. Except as hereby amended, all other restrictions in the Declaration shall remain in full force and effect.

[Signature Pages Follow]

IN WITNESS WHEREOF, Venetian Lennar, LLC, have caused these present to be signed in its name on this ____ day of _____, 2013.

WITNESSES:

Venetian Lennar, LLC
a Florida limited liability company

Witness

By: _____
Signature

Printed Name

Printed Name / Title

Witness

Address:

Printed Name

STATE OF FLORIDA)
) SS:
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this ____ day of _____, 2013, by _____, as _____ of Venetian Lennar, LLC, a Florida limited liability company, on behalf of said partnership, who is personally known to me or has produced _____ as identification.

My Commission Expires:

Notary Public – State of Florida

Printed Name

IN WITNESS WHEREOF, Venetian Lennar, LLC, have caused these present to be signed in its name on this ____ day of _____, 2013.

WITNESSES:

Venetian By Luxcom, LLC
a Florida limited liability company

Witness

By: _____

Signature

Printed Name

Printed Name / Title

Witness

Address: _____

Printed Name

STATE OF FLORIDA)
) SS:
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this ____ day of _____, 2013, by _____, as _____ of Venetian By Luxcom, LLC, a Florida limited liability company, on behalf of said partnership, who is personally known to me or has produced _____ as identification.

My Commission Expires:

Notary Public – State of Florida

Printed Name

EXHIBIT "A"

Legal Description of the subject property:

EXHIBIT "B"

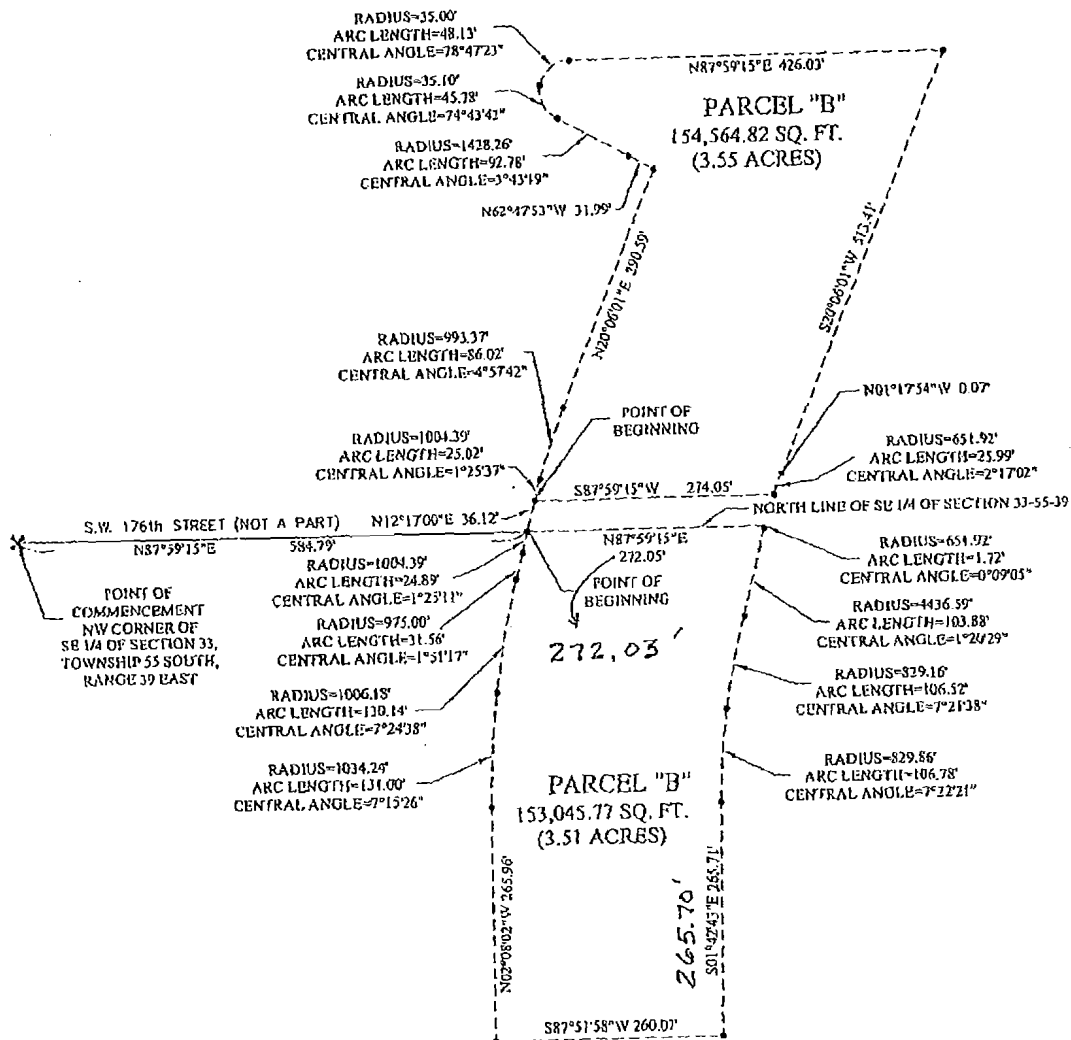
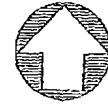
Declaration of Restrictions recorded in Official Records Book 25739 at Page 2130 - 2175 of the Public Records of Miami-Dade County, Florida:

#25677392_v1

EXHIBIT "A"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

NORTH



NOTE: THE INFORMATION SHOWN BY THE COMPUTER WAS SUBMITTED ON THE 13th. GEOMETRY HANDWRITTEN IS THE INFORMATION FOR THE ADVERTISED LEGAL DESCRIPTIONS.

P(3)SM, L.L.C.

L.B. No. 7335

PROFESSIONAL SURVEYORS & MAPPERS

3900 N.W. 79th AVENUE, SUITE #235 DORAL, FLORIDA 33166 PHONE: (305) 463-0912 FAX: (305) 463-0913

SKETCH AND LEGAL DESCRIPTION FOR PARCEL "B"

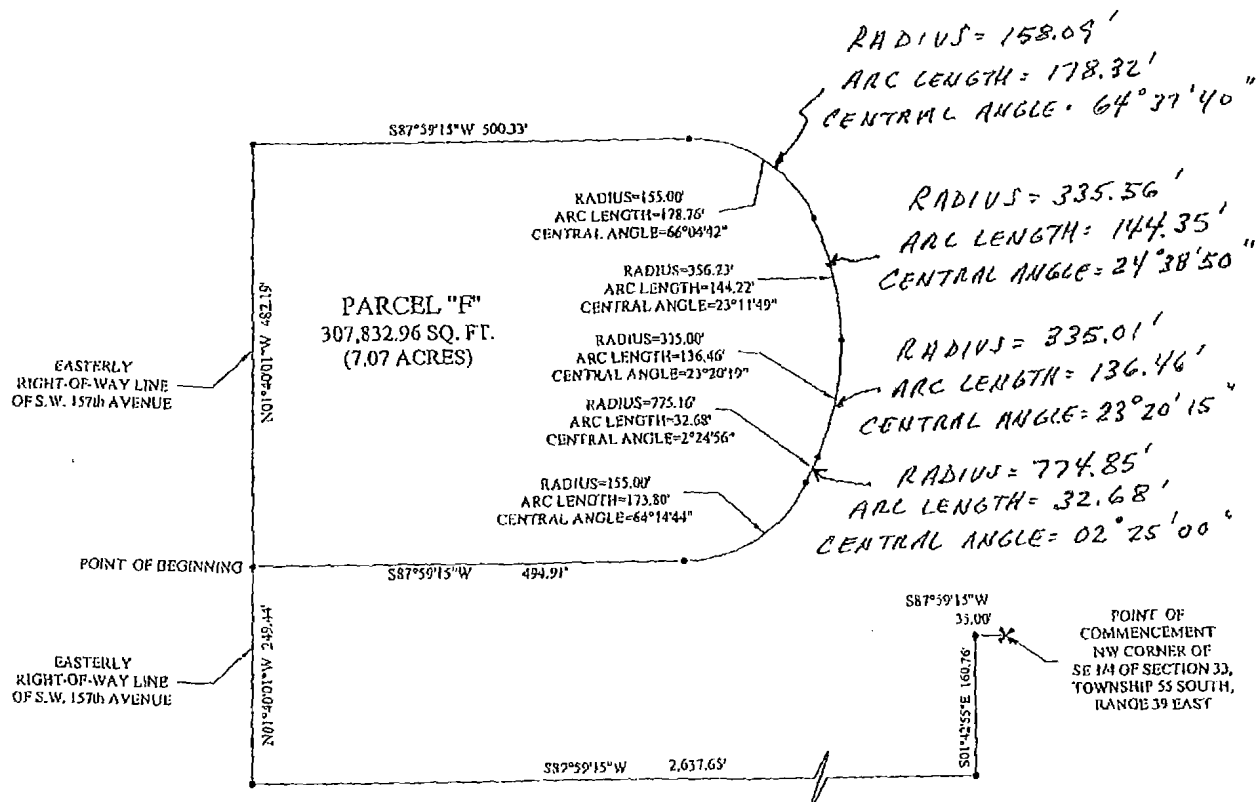
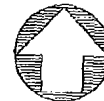
DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-07	JP	1" = 200'	0510-00050-004	4 OF 4

DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-07	JP	N/A	0510-00050-004	5 of 5

EXHIBIT "A"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

NORTH



NOTE: THE INFORMATION SHOWN BY THE COMPUTER WAS
SUBMITTED ON THE 13TH. GEOMETRY HANDWRITTEN
IS THE INFORMATION FOR THE ADVERTISED LEGAL
DESCRIPTIONS.

P(3)SM, L.L.C.

PROFESSIONAL SURVEYORS & MAPPERS

3900 N.W. 79th AVENUE, SUITE #235 DORAL, FLORIDA 33166 PHONE: (305) 463-0912 FAX: (305) 463-0913

L.B. No. 7335

SKETCH AND LEGAL DESCRIPTION FOR PARCEL "F"

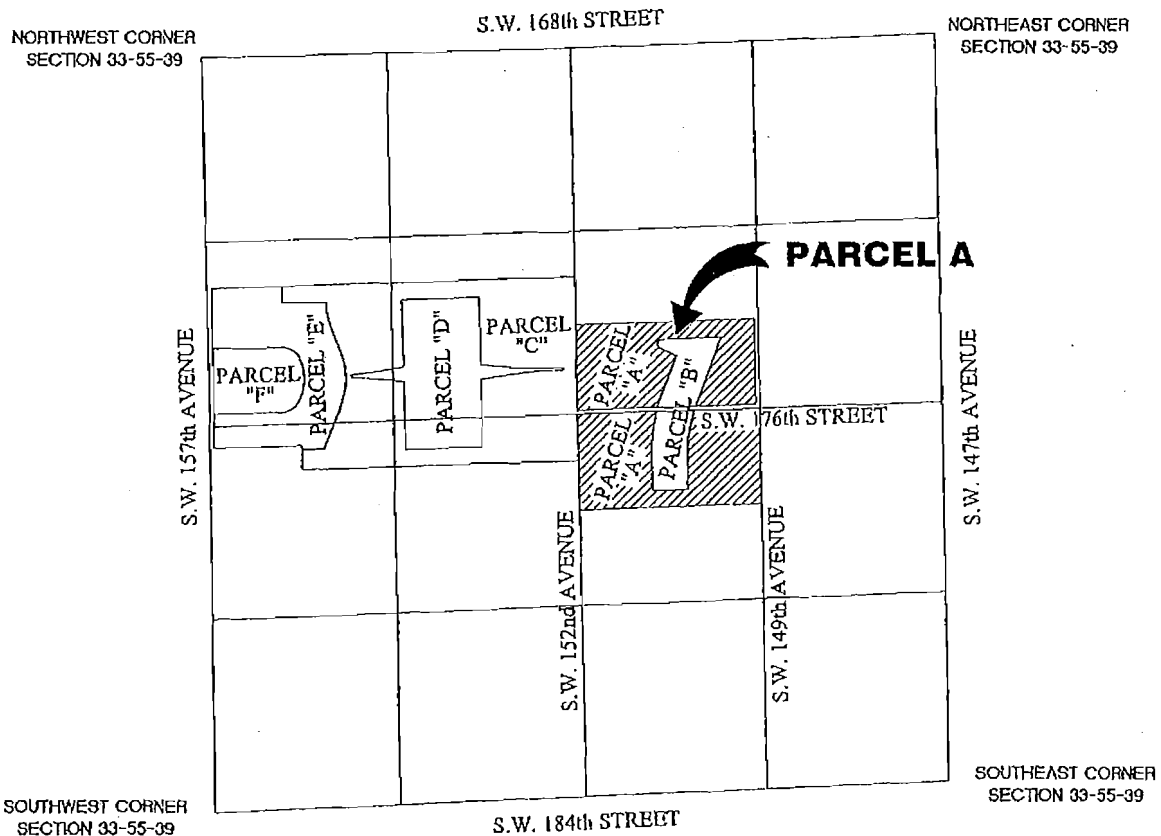
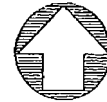
DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-07	JP	1" = 200'	0510-00050-004	4 of 4

EXHIBIT "A"

LOCATION MAP

A PORTION OF
SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST
MIAMI-DADE COUNTY, FLORIDA
(NOT TO SCALE)

NORTH



P(3)SM, L.L.C.

L.B. No. 7335

PROFESSIONAL SURVEYORS & MAPPERS

3900 N.W. 79th AVENUE, SUITE #235 DORAL, FLORIDA 33166 PHONE:(305) 463-0912 FAX:(305) 463-0913

SKETCH AND LEGAL DESCRIPTION FOR PARCEL "A"

DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-07	JP	N/A	0510-00050-004	1 of 5

EXHIBIT "A"

SURVEYOR'S NOTES AND CERTIFICATE

- 1) This is not a Boundary Survey, but only a GRAPHIC DEPICTION of the description shown hereon.
- 2) North arrow direction and bearing shown hereon are based on an assumed meridian of N 01°26'20" W, along the centerline of S.W. 152nd AVENUE.
- 3) Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
- 4) There may be additional restrictions not shown on this Sketch & Legal that may be found in the Public Records of this County. Examination of the ABSTRACT OF TITLE will have to be made to determine recorded instruments, if any affecting this property.
- 5) No title research has been performed to determine if there are any conflict existing or arising out of the creation of the easements, Right-of-Ways, Parcel Descriptions, or any other type of encumbrances that the herein described legal may be utilized for.
- 6) The intent of this description is to create a legal description.

SURVEYOR'S CERTIFICATE:

I hereby certify to the best of my knowledge and belief that this drawing is a true and correct representation of the SKETCH AND LEGAL DESCRIPTION, of the real property described hereon.

I further certify that this survey was prepared in accordance with the applicable provisions of Chapter 61G17-6 Florida Administrative Code.

Date: APRIL 12, 2007

EDUARDO M. SUAREZ, P.S.M.
Professional Surveyor and Mapper
State of Florida, Registration No. 6313

P(3)SM, L.L.C. PROFESSIONAL SURVEYORS & MAPPERS 3900 N.W. 79th AVENUE, SUITE #235 DORAL, FLORIDA 33166 PHONE:(305) 463-0912 FAX:(305) 463-0913				L.B. No. 7335
SKETCH AND LEGAL DESCRIPTION FOR PARCEL "A"				
DATE: 04-12-07	DRAWN BY JP	SCALE: N/A	JOB No. 0510-00050-004	SHEET: 2 of 5

EXHIBIT "A"

LEGAL DESCRIPTION

BEGINNING AT THE NW CORNER OF THE SE 1/4 OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST; THENCE N87°59'15"E, ALONG THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 33, FOR A DISTANCE OF 1,340.00 FEET, TO A POINT ON THE EAST LINE OF THE SAID SECTION 33; THENCE S01°32'02"E, ALONG THE EAST LINE OF THE SAID SECTION 33, FOR A DISTANCE OF 702.65 FEET; THENCE S87°51'58"W FOR A DISTANCE OF 1,337.79 FEET, TO A POINT ON THE WEST LINE OF THE SE 1/4 OF SAID SECTION 33; THENCE N01°42'55"W, ALONG THE WEST LINE OF THE SE 1/4 OF SAID SECTION 33, FOR A DISTANCE OF 705.47 FEET TO THE POINT OF BEGINNING.

CONTAINING 942,630.22 sq. ft. AND/OR 21,640 ACRES MORE OR LESS.

TOGETHER WITH:

COMMENCING AT THE NW CORNER OF THE SE 1/4 OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST; THENCE N87°59'15"E, ALONG THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 33, FOR A DISTANCE OF 584.79 FEET; THENCE N12°17'00"E FOR A DISTANCE OF 36.12 FEET TO THE POINT OF BEGINNING; THENCE S87°59'15"W FOR A DISTANCE OF 533.11 FEET, TO A POINT OF TANGENCY, WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 90°34'25"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, FOR A DISTANCE OF 39.52 FEET TO A POINT OF TANGENCY; THENCE N01°26'20"W, ALONG A LINE 35.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE NE 1/4 OF SAID SECTION 33, FOR A DISTANCE OF 599.75 FEET TO A POINT ON THE NORTH LINE OF TRACT 26 OF "2nd REVISED PLAT OF RICHMOND" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 31 AT PAGE 69 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE N87°59'15"E, ALONG THE NORTH LINE OF THE AFOREMENTIONED TRACT 26, FOR A DISTANCE OF 1,275.05 FEET TO A POINT 30.00 WEST OF THE EAST LINE OF SAID SECTION 33; THENCE S01°26'01"E, ALONG A LINE 30.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION 33, FOR A DISTANCE OF 625.00 FEET TO A POINT 35.00 FEET NORTH OF THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 33; THENCE S87°59'15"W, ALONG A LINE OF 35.00 FEET NORTH OF AND PARALLEL TO THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 33, FOR A DISTANCE OF 716.64 FEET TO THE POINT OF BEGINNING. CONTAINING 796,712.81 SQ. FT. AND/OR 18,290 ACRES MORE OR LESS.

LESS THE FOLLOWING PARCEL:
(ALSO KNOWN AS PARCEL B)

COMMENCING AT THE NW CORNER OF THE SE 1/4 OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST; THENCE N87°59'15"E, ALONG THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 33 FOR A DISTANCE OF 584.79 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUE EASTERLY ALONG SAID NORTH LINE, A DISTANCE OF 272.05 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S76°16'03"E, A RADIAL DISTANCE OF 651.92 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°09'05", A DISTANCE OF 1.72 FEET TO A POINT OF NON-TANGENCY AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S77°16'46"E, A RADIAL DISTANCE OF 4,436.59 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°20'29", A DISTANCE OF 103.88 FEET TO A POINT OF NON-TANGENCY WITH A CURVE, TO WHICH THE RADIUS POINT LIES S76°38'19"E, A RADIAL DISTANCE OF 829.16 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 07°21'38", A DISTANCE OF 106.52 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S83°59'51"E, A RADIAL DISTANCE OF 829.86 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 07°22'21", A DISTANCE OF 106.78 FEET TO A POINT OF TANGENCY; THENCE S01°42'43"E FOR A DISTANCE OF 265.71 FEET; THENCE S87°51'58"W FOR A DISTANCE OF 260.07 FEET; THENCE N02°08'02"W FOR A DISTANCE OF 265.96 FEET TO A POINT OF TANGENCY, WITH A CURVE TO THE

P(3)SM, L.L.C.

PROFESSIONAL SURVEYORS & MAPPERS

3900 N.W. 79th AVENUE, SUITE #235 DORAL, FLORIDA 33166 PHONE:(305) 463-0912 FAX:(305) 463-0913

L.B. No. 7335

SKETCH AND LEGAL DESCRIPTION FOR PARCEL "A"

DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-07	JP	N/A	0510-00050-004	3 of 5

EXHIBIT "A"

LEGAL DESCRIPTION

RIGHT HAVING A RADIUS OF 1,034.24 FEET AND A CENTRAL ANGLE OF 07°15'26"; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 131.00 FEET TO A POINT OF COMPOUND CURVATURE, WITH A CURVE HAVING A RADIUS OF 1,006.18 FEET AND A CENTRAL ANGLE OF 07°24'38"; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 130.14 FEET TO A POINT OF NON-TANGENCY, WITH A CURVE TO WHICH THE RADIUS POINT LIES N77°24'55"W, A RADIAL DISTANCE OF 975.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°51'17", A DISTANCE OF 31.56 FEET TO A POINT OF NON-TANGENCY WITH A CURVE TO WHICH THE RADIUS POINT LIES S80°10'00"E, A RADIAL DISTANCE OF 1,004.39 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°25'11", A DISTANCE OF 24.89 FEET TO THE POINT OF BEGINNING. CONTAINING 153,045 SQ. FT. AND/OR 3.513 ACRES MORE OR LESS.

LESS

COMMENCING AT THE NW CORNER OF THE SE 1/4 OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST; THENCE N87°59'15"E, ALONG THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 33, FOR A DISTANCE OF 584.79 FEET; THENCE N12°17'00"E FOR A DISTANCE OF 36.12 FEET TO THE POINT OF BEGINNING; SAID POINT ALSO BEING THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S76°41'11"E, A RADIAL DISTANCE OF 1,004.39 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°25'37", A DISTANCE OF 25.02 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S75°16'37"E, A RADIAL DISTANCE OF 993.37 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 04°57'42", A DISTANCE OF 86.02 FEET; THENCE N20°06'01"E FOR A DISTANCE OF 290.59 FEET; THENCE N62°47'53"W FOR A DISTANCE OF 31.99 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S27°48'44"W, A RADIAL DISTANCE OF 1,428.26 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°43'19", A DISTANCE OF 92.78 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES N24°20'34"E, A RADIAL DISTANCE OF 35.10 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 74°43'42", A DISTANCE OF 45.78 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S80°48'08"E, A RADIAL DISTANCE OF 35.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 78°47'23", A DISTANCE OF 48.13 FEET; THENCE N87°59'15"E FOR A DISTANCE OF 426.03 FEET; THENCE S20°06'01"W FOR A DISTANCE OF 513.41 FEET; THENCE N01°17'54"W FOR A DISTANCE OF 0.07 FEET TO THE POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S70°45'38"E, A RADIAL DISTANCE OF 651.92 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°17'02", A DISTANCE OF 25.99 FEET TO A POINT 35.00 FEET NORTH OF THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 33; THENCE S87°59'15"W, ALONG A LINE 35.00 FEET NORTH OF AND PARALLEL TO THE NORTH LINE OF THE SE 1/4 OF THE SAID SECTION 33 FOR A DISTANCE OF 274.05 FEET TO THE POINT OF BEGINNING. CONTAINING 154,564.82 SQ. FT. AND/OR 3.548 ACRES MORE OR LESS.

PARCEL A CONTAINS A TOTAL OF 1,431,732.44 SQ. FT. AND/OR 32.87 ACRES, MORE OR LESS.

P(3)SM, L.L.C.

L.B. No. 7335

PROFESSIONAL SURVEYORS & MAPPERS

3900 N.W. 79th AVENUE, SUITE #235 DORAL, FLORIDA 33166 PHONE: (305) 463-0912 FAX: (305) 463-0913

SKETCH AND LEGAL DESCRIPTION FOR PARCEL "A"

DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-07	JP	N/A	0510-00050-004	4 of 5

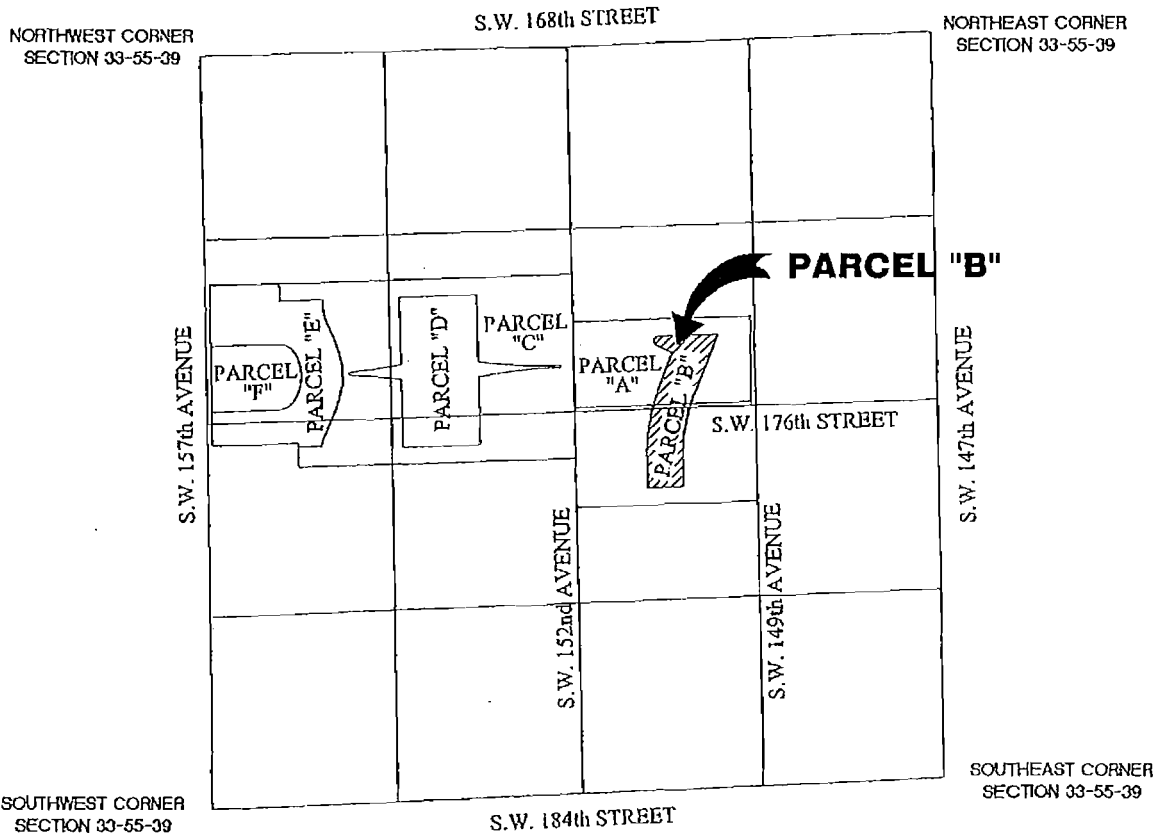
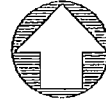


EXHIBIT "A"

LOCATION MAP

A PORTION OF
SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST
MIAMI-DADE COUNTY, FLORIDA
(NOT TO SCALE)

NORTH



P(3)SM, L.L.C.

L.B. No. 7335

PROFESSIONAL SURVEYORS & MAPPERS

3900 N.W. 79th AVENUE, SUITE #235 DORAL, FLORIDA 33166 PHONE:(305) 463-0912 FAX:(305) 463-0913

SKETCH AND LEGAL DESCRIPTION FOR PARCEL "B"

DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-07	JP	N/A	0510-00050-004	1 of 4

EXHIBIT "A"

SURVEYOR'S NOTES AND SURVEYOR'S CERTIFICATE

- 1) This is not a Boundary Survey, but only a GRAPHIC DEPICTION of the description shown hereon.
- 2) North arrow direction and bearing shown hereon are based on an assumed meridian of N 01°26'20" W, along the centerline of S.W. 152nd AVENUE.
- 3) Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
- 4) There may be additional restrictions not shown on this Sketch & Legal that may be found in the Public Records of this County. Examination of the ABSTRACT OF TITLE will have to be made to determine recorded instruments, if any affecting this property.
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- 6) The intent of this description is to create a legal description.

SURVEYOR'S CERTIFICATE:

I hereby certify to the best of my knowledge and belief that this drawing is a true and correct representation of the SKETCH AND LEGAL DESCRIPTION, of the real property described hereon.

I further certify that this survey was prepared in accordance with the applicable provisions of Chapter 61G17-6 Florida Administrative Code.

Date: APRIL 12, 2007

EDUARDO M. SUAREZ, P.S.M.
Professional Surveyor and Mapper
State of Florida, Registration No. 6313

P(3)SM, L.L.C.				L.B. No. 7335
PROFESSIONAL SURVEYORS & MAPPERS				
3900 N.W. 79th AVENUE, SUITE #235 DORAL, FLORIDA 33166 PHONE:(305) 463-0912 FAX:(305) 463-0913				
SKETCH AND LEGAL DESCRIPTION FOR PARCEL "B"				
DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-07	JP	N/A	0510-00050-004	2 of 4

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL "B"

COMMENCING AT THE NW CORNER OF THE SE 1/4 OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST; THENCE N87°59'15"E, ALONG THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 33 FOR A DISTANCE OF 584.79 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUE EASTERLY ALONG SAID NORTH LINE, A DISTANCE OF 272.05 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S76°16'03"E, A RADIAL DISTANCE OF 651.92 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°09'05", A DISTANCE OF 1.72 FEET TO A POINT OF NON-TANGENCY AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S77°16'46"E, A RADIAL DISTANCE OF 4,436.59 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°20'29", A DISTANCE OF 103.88 FEET TO A POINT OF NON-TANGENCY WITH A CURVE, TO WHICH THE RADIUS POINT LIES S76°38'19"E, A RADIAL DISTANCE OF 829.16 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 07°21'38", A DISTANCE OF 106.52 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S83°59'51"E, A RADIAL DISTANCE OF 829.86 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 07°22'21", A DISTANCE OF 106.78 FEET TO A POINT OF TANGENCY; THENCE S01°42'43"E FOR A DISTANCE OF 265.71 FEET; THENCE S87°51'58"W FOR A DISTANCE OF 260.07 FEET; THENCE N02°08'02"W FOR A DISTANCE OF 265.96 FEET TO A POINT OF TANGENCY, WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 1,034.24 FEET AND A CENTRAL ANGLE OF 07°15'26"; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 131.00 FEET TO A POINT OF COMPOUND CURVATURE, WITH A CURVE HAVING A RADIUS OF 1,006.18 FEET AND A CENTRAL ANGLE OF 07°24'38"; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 130.14 FEET TO A POINT OF NON-TANGENCY, WITH A CURVE TO WHICH THE RADIUS POINT LIES N77°24'55"W, A RADIAL DISTANCE OF 975.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°51'17", A DISTANCE OF 31.56 FEET TO A POINT OF NON-TANGENCY WITH A CURVE TO WHICH THE RADIUS POINT LIES S80°10'00"E, A RADIAL DISTANCE OF 1,004.39 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°25'11", A DISTANCE OF 24.89 FEET TO THE POINT OF BEGINNING. CONTAINING 153,045.77 SQ. FT. AND/OR 3.51 ACRES MORE OR LESS.

TOGETHER WITH;

COMMENCING AT THE NW CORNER OF THE SE 1/4 OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST; THENCE N87°59'15"E, ALONG THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 33, FOR A DISTANCE OF 584.79 FEET; THENCE N12°17'00"E FOR A DISTANCE OF 36.12 FEET TO THE POINT OF BEGINNING; SAID POINT ALSO BEING THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S76°41'11"E, A RADIAL DISTANCE OF 1,004.39 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°25'37", A DISTANCE OF 25.02 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S75°16'37"E, A RADIAL DISTANCE OF 993.37 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 04°57'42", A DISTANCE OF 86.02 FEET; THENCE N20°06'01"E FOR A DISTANCE OF 290.59 FEET; THENCE N62°47'53"W FOR A DISTANCE OF 31.99 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S27°48'44"W, A RADIAL DISTANCE OF 1,428.26 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°43'19", A DISTANCE OF 92.78 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES N24°20'34"E, A RADIAL DISTANCE OF 35.10 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 74°43'42", A DISTANCE OF 45.78 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S80°48'08"E, A RADIAL DISTANCE OF 35.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 78°47'23", A DISTANCE OF 48.13 FEET; THENCE N87°59'15"E FOR A DISTANCE OF 426.03 FEET; THENCE S20°06'01"W FOR A DISTANCE OF 513.41 FEET; THENCE N01°17'54"W FOR A DISTANCE OF 0.07 FEET TO THE POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S70°45'38"E, A RADIAL DISTANCE OF 651.92 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°17'02", A DISTANCE OF 25.99 FEET TO A POINT 35.00 FEET NORTH OF THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 33; THENCE S87°59'15"W, ALONG A LINE 35.00 FEET NORTH OF AND PARALLEL TO THE NORTH LINE OF THE SE 1/4 OF THE SAID SECTION 33 FOR A DISTANCE OF 274.05 FEET TO THE POINT OF BEGINNING. CONTAINING 154,564.82 SQ. FT. AND/OR 3.55 ACRES MORE OR LESS.

PARCEL B CONTAINS A TOTAL OF 307,610.59 SQ. FT. AND/OR 7.06 ACRES MORE OR LESS.

P(3)SM, L.L.C.

L.B. No. 7335

PROFESSIONAL SURVEYORS & MAPPERS

3900 N.W. 79th AVENUE, SUITE #235 DORAL, FLORIDA 33166 PHONE: (305) 463-0912 FAX: (305) 463-0913

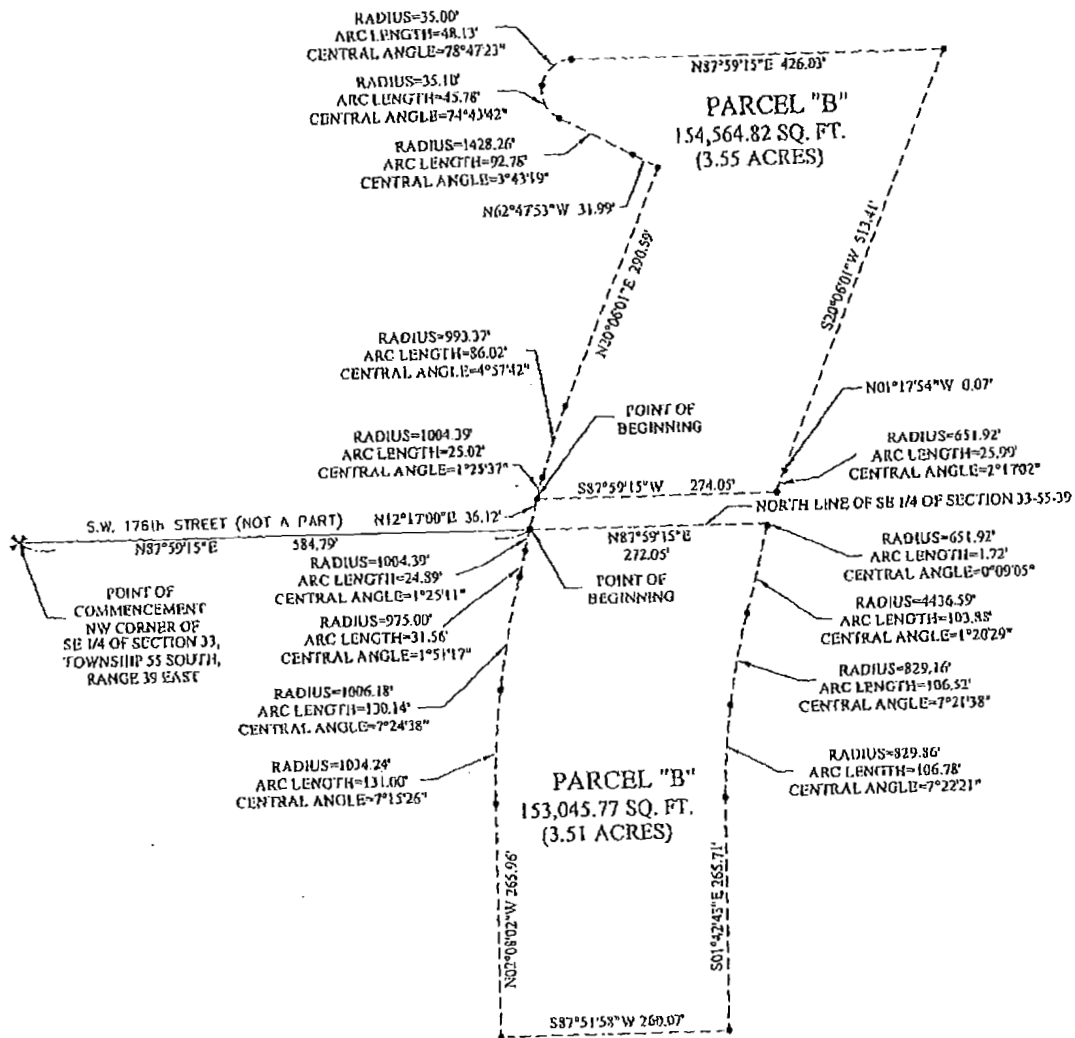
SKETCH AND LEGAL DESCRIPTION FOR PARCEL "B"

DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-07	JP	N/A	0510-00050-004	3 of 4

EXHIBIT "A"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

NORTH



P(3)SM, L.L.C.

L.B. No. 7335

PROFESSIONAL SURVEYORS & MAPPERS

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SKETCH AND LEGAL DESCRIPTION FOR PARCEL "B"

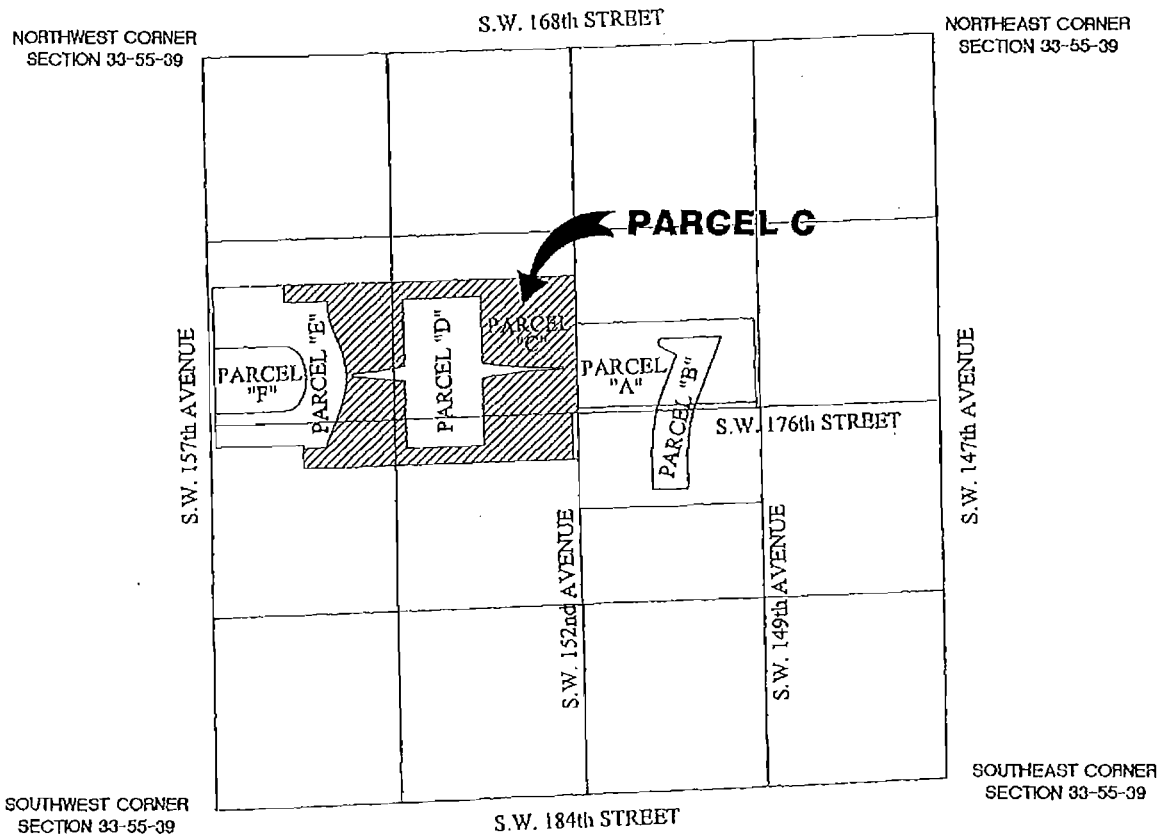
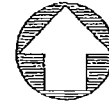
DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-07	JP	1" = 200'	0510-00050-004	4 OF 4

EXHIBIT "A"

LOCATION MAP

A PORTION OF
SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST
MIAMI-DADE COUNTY, FLORIDA
(NOT TO SCALE)

NORTH



P(3)SM, L.L.C.

L.B. No. 7335

PROFESSIONAL SURVEYORS & MAPPERS

3900 N.W. 79th AVENUE, SUITE #235 DORAL, FLORIDA 33166 PHONE:(305) 463-0912 FAX:(305) 463-0913

SKETCH AND LEGAL DESCRIPTION FOR PARCEL "C"

DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-06	JP	N/A	0510-00050-004	1 of 7

EXHIBIT "A"

SURVEYOR'S NOTES AND CERTIFICATE

- 1) This is not a Boundary Survey, but only a GRAPHIC DEPICTION of the description shown hereon.
- 2) North arrow direction and bearing shown hereon are based on an assumed meridian of S 01°26'20" E, along the centerline of S.W. 152nd AVENUE.
- 3) Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
- 4) There may be additional restrictions not shown on this Sketch & Legal that may be found in the Public Records of this County. Examination of the ABSTRACT OF TITLE will have to be made to determine recorded instruments, if any affecting this property.
- 5) No title research has been performed to determine if there are any conflict existing or arising out of the creation of the easements, Right-of-Ways, Parcel Descriptions, or any other type of encumbrances that the herein described legal may be utilized for.
- 6) The intent of this description is to create a legal description.

SURVEYOR'S CERTIFICATE:

I hereby certify to the best of my knowledge and belief that this drawing is a true and correct representation of the SKETCH AND LEGAL DESCRIPTION, of the real property described hereon.

I further certify that this survey was prepared in accordance with the applicable provisions of Chapter 61G17-6 Florida Administrative Code.

Date: APRIL 12, 2007

EDUARDO M. SUAREZ, P.S.M.
Professional Surveyor and Mapper
State of Florida, Registration No. 6313

P(3)SM, L.L.C. PROFESSIONAL SURVEYORS & MAPPERS 3900 N.W. 79th AVENUE, SUITE #235 DORAL, FLORIDA 33166 PHONE:(305) 463-0912 FAX:(305) 463-0913			L.B. No. 7335	
SKETCH AND LEGAL DESCRIPTION FOR PARCEL "C"				
DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-07	JP	N/A	0510-00050-004	2 of 7

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL "C" (PARENT TRACT)

BEGINNING AT THE NW CORNER OF THE SE 1/4 OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST; THENCE S87°59'15"W FOR A DISTANCE OF 35.00 FEET; THENCE S01°42'55"E, ALONG A LINE 35.00 WEST OF AND PARALLEL TO THE WEST LINE OF THE SE 1/4 OF SAID SECTION 33, FOR A DISTANCE 337.98 FEET, TO A POINT ON THE SOUTH LINE OF THE NORTH 338.00 FEET OF THE SW 1/4 OF SAID SECTION 33; THENCE S87°59'15"W, ALONG THE SOUTH LINE OF THE NORTH 338.00 FEET, OF SAID SECTION 33, FOR A DISTANCE OF 1,998.62 FEET; THENCE N01°22'53"W FOR A DISTANCE OF 150.01 FEET; THENCE N87°59'15"E FOR A DISTANCE OF 173.36 FEET; THENCE N02°00'45"W FOR A DISTANCE OF 19.93 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S74°51'59"E, A RADIAL DISTANCE OF 225.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°24'41", A DISTANCE OF 21.25 FEET TO A POINT OF COMPOUND CURVATURE, WITH A CURVE HAVING A RADIUS OF 12,689.01 FEET AND A CENTRAL ANGLE OF 00°31'01"; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 114.51 FEET TO A POINT OF COMPOUND CURVATURE WITH A CURVE HAVING A RADIUS OF 975.00 FEET AND A CENTRAL ANGLE OF 02°57'02"; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 50.21 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE HAVING A RADIUS OF 1,044.26 FEET AND A CENTRAL ANGLE OF 15°28'47"; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 282.13 FEET TO A POINT OF COMPOUND CURVATURE, WITH A CURVE HAVING A RADIUS OF 75.00 FEET AND A CENTRAL ANGLE OF 08°11'37"; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 10.73 FEET; THENCE N00°20'22"E FOR A DISTANCE OF 57.96 FEET; THENCE N04°21'52"W FOR A DISTANCE OF 57.96 FEET TO A POINT OF TANGENCY, WITH A CURVE TO THE LEFT HAVING A RADIUS OF 75.00 FEET AND A CENTRAL ANGLE OF 08°11'37"; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 10.73 FEET TO A POINT OF COMPOUND CURVATURE, WITH A CURVE HAVING A RADIUS OF 1,044.26 FEET AND A CENTRAL ANGLE OF 13°55'03"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 253.66 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE, TO WHICH THE RADIUS POINT LIES N62°48'19"E, A RADIAL DISTANCE OF 610.05 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 14°34'01", A DISTANCE OF 155.10 FEET TO A POINT OF COMPOUND CURVATURE WITH A CURVE HAVING A RADIUS OF 125.00 FEET AND A CENTRAL ANGLE OF 10°36'55"; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 23.16 FEET; THENCE N02°00'45"W FOR A DISTANCE OF 73.26 FEET; THENCE S88°06'32"W FOR A DISTANCE OF 319.05 FEET; THENCE N01°40'01"W FOR A DISTANCE OF 125.00 FEET, TO A POINT ON THE SOUTHERN PLAT LIMIT OF "KESSLER GROVE SECTION FOUR" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 150 AT PAGE 38 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA ; THENCE N88°06'32"E, ALONG THE SOUTHERN PLAT LIMITS OF THE AFOREMENTIONED PLAT, FOR A DISTANCE OF 2,153.86 FEET, TO A POINT ON THE EAST LINE OF THE NW 1/4 OF SAID SECTION 33; THENCE S01°26'20"E, ALONG THE EAST LINE OF THE NW 1/4 OF SAID SECTION 33, FOR A DISTANCE OF 1013.29 FEET; TO THE POINT OF BEGINNING. CONTAINING 2,468,085.10 SQ. FT. AND/OR 56.66 ACRES MORE OR LESS.

P(3)SM, L.L.C.

L.B. No. 7335

PROFESSIONAL SURVEYORS & MAPPERS

3900 N.W. 79th AVENUE, SUITE #235 DORAL, FLORIDA 33166 PHONE:(305) 463-0912 FAX:(305) 463-0913

SKETCH AND LEGAL DESCRIPTION FOR PARCEL "C"

DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-07	JP	N/A	0510-00050-004	3 of 7

EXHIBIT "A"

LEGAL DESCRIPTION

LESS THE FOLLOWING PARCEL:
(ALSO KNOWN AS PARCEL D)

COMMENCING AT THE NW CORNER OF THE SE 1/4 OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST; THENCE S87°59'15"W FOR A DISTANCE OF 35.00 FEET; THENCE S01°42'55"E, ALONG A LINE 35.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SW 1/4 OF SAID SECTION 33, FOR A DISTANCE OF 337.98 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 338.00 FEET OF THE SW 1/4 OF SAID SECTION 33; THENCE S87°59'15"W, ALONG THE SOUTH LINE OF THE NORTH 338.00 FEET OF THE SW 1/4 OF SAID SECTION 33, FOR A DISTANCE OF 662.75 FEET; THENCE N02°00'45"W FOR A DISTANCE OF 125.00 FEET TO THE POINT OF BEGINNING; THENCE S87°59'15"W FOR A DISTANCE OF 570.00 FEET; THENCE N02°00'45"W FOR A DISTANCE OF 497.76 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES N04°33'49"E, A RADIAL DISTANCE OF 1,652.01 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°11'19", A DISTANCE OF 34.27 FEET TO A POINT OF NON-TANGENCY, WITH A CURVE TO WHICH THE RADIUS POINT LIES N05°27'34"E, A RADIAL DISTANCE OF 9,516.46 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°15'13", A DISTANCE OF 42.10 FEET TO A POINT OF NON-TANGENCY WITH A CURVE TO WHICH THE RADIUS POINT LIES S07°12'48"W, A RADIAL DISTANCE OF 2,558.81 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°22'39", A DISTANCE OF 150.84 FEET TO A POINT OF COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 3,702.31 FEET AND A CENTRAL ANGLE OF 02°20'03"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 150.83 FEET TO A POINT OF REVERSE CURVATURE, WITH A CURVE HAVING A RADIUS OF 10.05 FEET AND A CENTRAL ANGLE OF 86°29'09"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 15.17 FEET; THENCE N02°00'45"W FOR A DISTANCE OF 4.07 FEET TO THE POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES N87°43'36"E, A RADIAL DISTANCE OF 10.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 87°00'27", A DISTANCE OF 15.19 FEET TO A POINT OF REVERSE CURVATURE, WITH A CURVE HAVING A RADIUS OF 3,026.11 FEET AND A CENTRAL ANGLE OF 05°42'20"; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 301.64 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES N09°11'11"W, A RADIAL DISTANCE OF 7,408.86 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°19'32", A DISTANCE OF 42.11 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S09°32'43"E, A RADIAL DISTANCE OF 3,467.66 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°33'59", A DISTANCE OF 34.27 FEET; THENCE N02°00'45"W FOR A DISTANCE OF 498.32 FEET; THENCE N88°06'02"E FOR A DISTANCE OF 570.00 FEET; THENCE S02°00'45"E FOR A DISTANCE OF 497.24 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES N05°56'40"E, A RADIAL DISTANCE OF 1,450.61 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°21'14", A DISTANCE OF 34.28 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S05°11'31"W, A RADIAL DISTANCE OF 3,950.44 FEET;

P(3)SM, L.L.C.

L.B. No. 7335

PROFESSIONAL SURVEYORS & MAPPERS

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SKETCH AND LEGAL DESCRIPTION FOR PARCEL "C"

DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-07	JP	N/A	0510-00050-004	4 of 7

EXHIBIT "A"

LEGAL DESCRIPTION

THENCE EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°36'38", A DISTANCE OF 42.09 FEET TO A POINT OF NON-TANGENCY WITH A CURVE TO WHICH THE RADIUS POINT LIES N06°57'09"E, A RADIAL DISTANCE OF 3,026.11 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 07°44'05", A DISTANCE OF 408.50 FEET TO A POINT OF COMPOUND CURVATURE, WITH A CURVE HAVING A RADIUS OF 820.00 FEET AND A CENTRAL ANGLE OF 01°13'49"; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 17.61 FEET; THENCE N87°59'15"E FOR A DISTANCE OF 107.96 FEET; THENCE S02°00'45"E FOR A DISTANCE OF 15.00 FEET; THENCE S87°59'15"W FOR A DISTANCE OF 119.04 FEET TO A POINT OF TANGENCY, WITH A CURVE TO THE LEFT HAVING A RADIUS OF 1,020.00 FEET AND A CENTRAL ANGLE OF 03°57'10"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 70.37 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S04°27'04"E, A RADIAL DISTANCE OF 3,026.11 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°31'34", A DISTANCE OF 344.70 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES N09°45'42"W, A RADIAL DISTANCE OF 6,920.40 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°20'55", A DISTANCE OF 42.10 FEET; THENCE S80°40'35"W FOR A DISTANCE OF 34.28 FEET; THENCE S02°00'45"E FOR A DISTANCE OF 497.70 FEET TO THE POINT OF BEGINNING. CONTAINING 678,483.02 SQ. FT. AND/OR 15.58 SQ.FT. MORE OR LESS.

PARCEL "C" CONTAINS A TOTAL OF 1,789,602.08 SQ. FT. AND/OR 41.08 ACRES MORE OR LESS.

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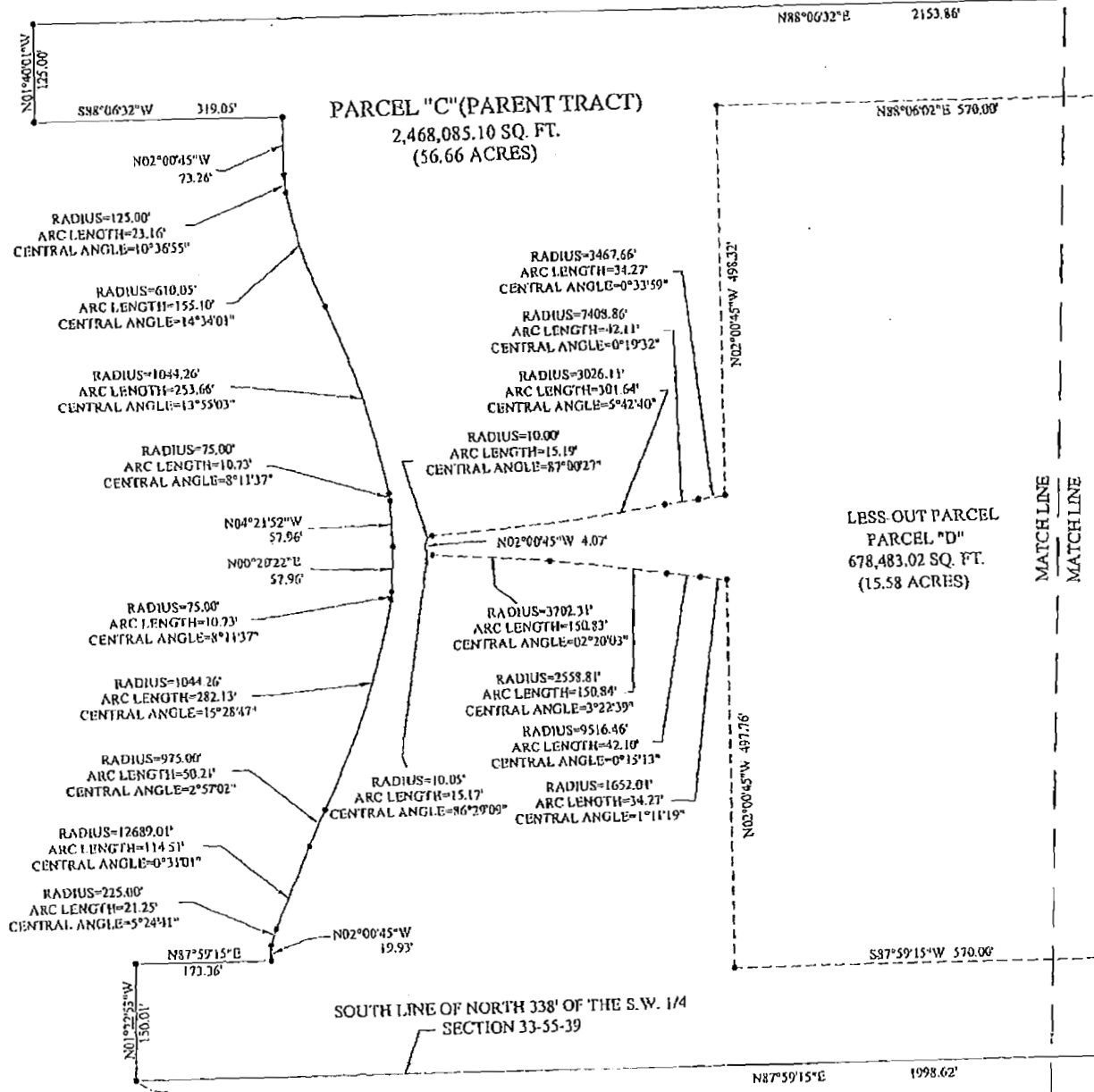
SKETCH AND LEGAL DESCRIPTION FOR PARCEL "C"

DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-07	JP	N/A	0510-00050-004	5 of 7

EXHIBIT "A"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

NORTH



P(3)SM, L.L.C.

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L.B. No. 7335

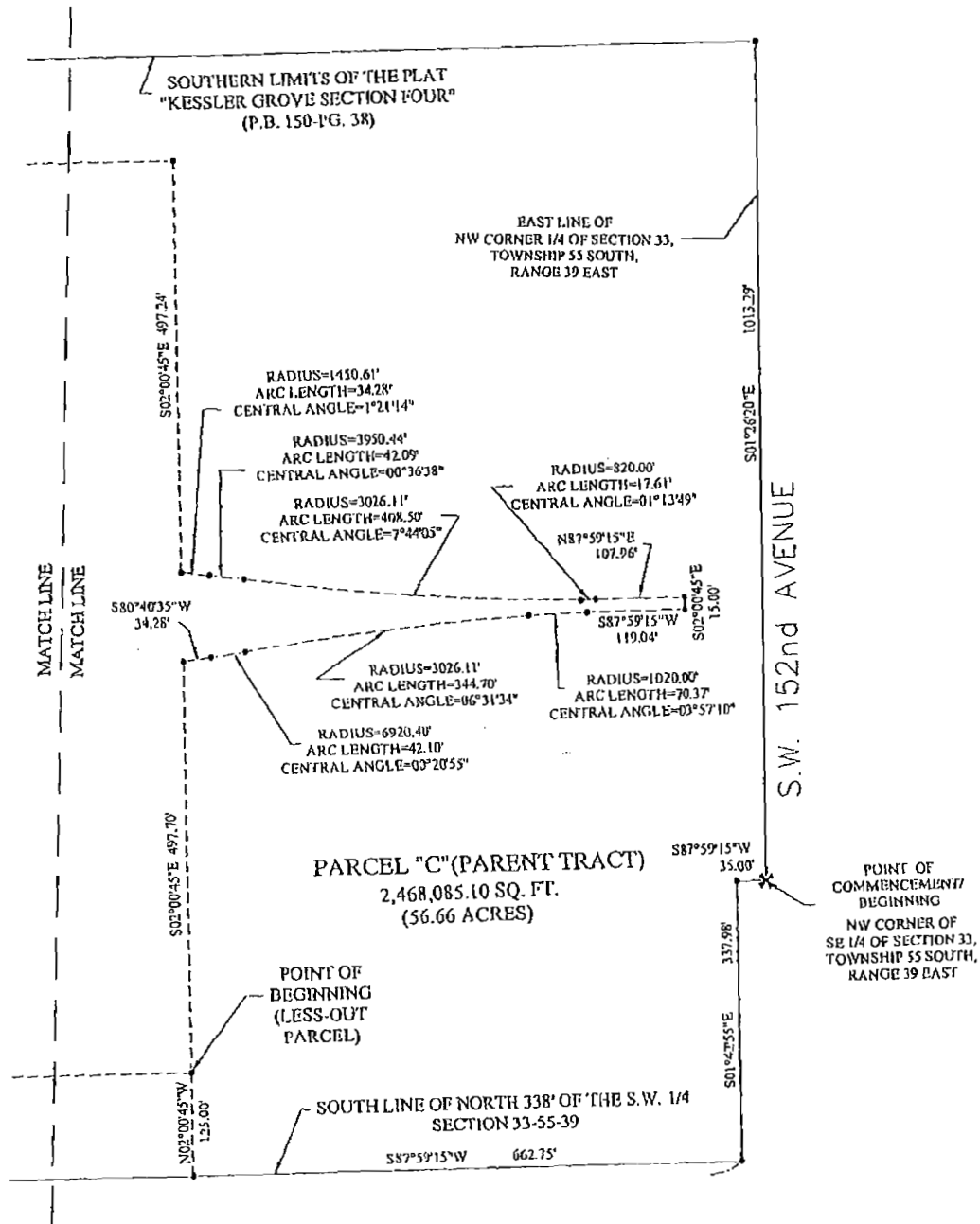
SKETCH AND LEGAL DESCRIPTION FOR PARCEL "C"

DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-07	JP	1" = 200'	0510-00050-004	6 of 7

EXHIBIT "A"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

NORTH



P(3)SM, L.L.C.

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L.B. No. 7335

SKETCH AND LEGAL DESCRIPTION FOR PARCEL "C"

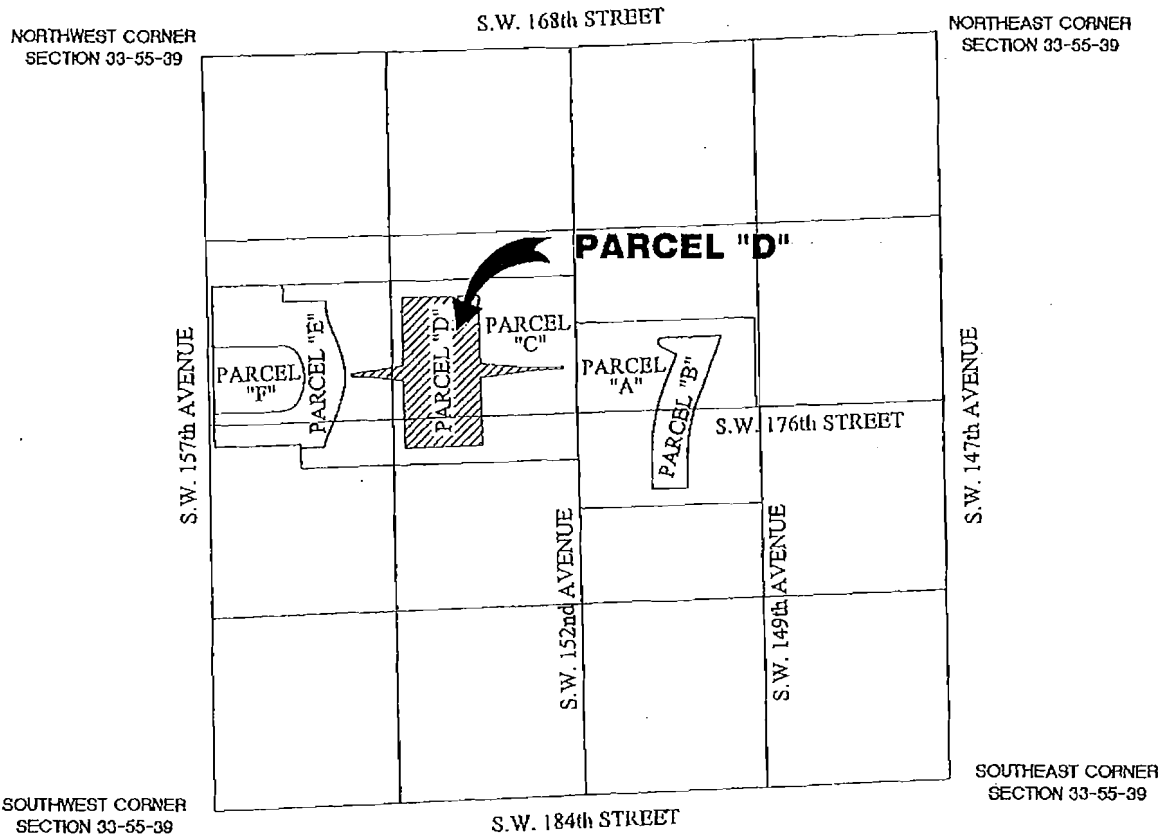
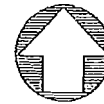
DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-07	JP	1" = 200'	0510-00050-004	7 of 7

EXHIBIT "A"

LOCATION MAP

A PORTION OF
SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST
MIAMI-DADE COUNTY, FLORIDA
(NOT TO SCALE)

NORTH



P(3)SM, L.L.C.

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PROFESSIONAL SURVEYORS & MAPPERS

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SKETCH AND LEGAL DESCRIPTION FOR PARCEL "D"

DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-07	JP	N/A	0510-00050-004	1 of 6

EXHIBIT "A"

SURVEYOR'S NOTES AND CERTIFICATE

- 1) This is not a Boundary Survey, but only a GRAPHIC DEPICTION of the description shown hereon.
- 2) North arrow direction and bearing shown hereon are based on an assumed meridian of S 01°26'20" E, along the centerline of S.W. 152nd AVENUE.
- 3) Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
- 4) There may be additional restrictions not shown on this Sketch & Legal that may be found in the Public Records of this County. Examination of the ABSTRACT OF TITLE will have to be made to determine recorded instruments, if any affecting this property.
- 5) No title research has been performed to determine if there are any conflict existing or arising out of the creation of the easements, Right-of-Ways, Parcel Descriptions, or any other type of encumbrances that the herein described legal may be utilized for.
- 6) The intent of this description is to create a legal description.

SURVEYOR'S CERTIFICATE:

I hereby certify to the best of my knowledge and belief that this drawing is a true and correct representation of the SKETCH AND LEGAL DESCRIPTION, of the real property described hereon.

I further certify that this survey was prepared in accordance with the applicable provisions of Chapter 61G17-6 Florida Administrative Code.

Date: APRIL 12, 2007

EDUARDO M. SUAREZ, P.S.M.
Professional Surveyor and Mapper
State of Florida, Registration No. 6313

P(3)SM, L.L.C.			L.B. No. 7335	
PROFESSIONAL SURVEYORS & MAPPERS				
3900 N.W. 79th AVENUE, SUITE #235 DORAL, FLORIDA 33166 PHONE:(305) 463-0912 FAX:(305) 463-0913				
SKETCH AND LEGAL DESCRIPTION FOR PARCEL "D"				
DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-07	JP	N/A	0510-00050-004	2 of 6

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL "D"

COMMENCING AT THE NW CORNER OF THE SE 1/4 OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST; THENCE S87°59'15"W FOR A DISTANCE OF 35.00 FEET; THENCE S01°42'55"E, ALONG A LINE 35.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SW 1/4 OF SAID SECTION 33, FOR A DISTANCE OF 337.98 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 338.00 FEET OF THE SW 1/4 OF SAID SECTION 33; THENCE S87°59'15"W, ALONG THE SOUTH LINE OF THE NORTH 338.00 FEET OF THE SW 1/4 OF SAID SECTION 33, FOR A DISTANCE OF 662.75 FEET; THENCE N02°00'45"W FOR A DISTANCE OF 125.00 FEET TO THE POINT OF BEGINNING; THENCE S87°59'15"W FOR A DISTANCE OF 570.00 FEET; THENCE N02°00'45"W FOR A DISTANCE OF 497.76 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES N04°33'49"E, A RADIAL DISTANCE OF 1,652.01 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°11'19", A DISTANCE OF 34.27 FEET TO A POINT OF NON-TANGENCY, WITH A CURVE TO WHICH THE RADIUS POINT LIES N05°27'34"E, A RADIAL DISTANCE OF 9,516.46 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°15'13", A DISTANCE OF 42.10 FEET TO A POINT OF NON-TANGENCY WITH A CURVE TO WHICH THE RADIUS POINT LIES S07°12'48"W, A RADIAL DISTANCE OF 2,558.81 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°22'39", A DISTANCE OF 150.84 FEET TO A POINT OF COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 3,702.31 FEET AND A CENTRAL ANGLE OF 02°20'03"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 150.83 FEET TO A POINT OF REVERSE CURVATURE, WITH A CURVE HAVING A RADIUS OF 10.05 FEET AND A CENTRAL ANGLE OF 86°29'09"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 15.17 FEET; THENCE N02°00'45"W FOR A DISTANCE OF 4.07 FEET TO THE POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES N87°43'36"E, A RADIAL DISTANCE OF 10.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 87°00'27", A DISTANCE OF 15.19 FEET TO A POINT OF REVERSE CURVATURE, WITH A CURVE HAVING A RADIUS OF 3,026.11 FEET AND A CENTRAL ANGLE OF 05°42'20"; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 301.64 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES N09°11'11"W, A RADIAL DISTANCE OF 7,408.86 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°19'32", A DISTANCE OF 42.11 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S09°32'43"E, A RADIAL DISTANCE OF 3,467.66 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°33'59", A DISTANCE OF 34.27 FEET; THENCE N02°00'45"W FOR A DISTANCE OF 498.32 FEET; THENCE N88°06'02"E FOR A DISTANCE OF 570.00 FEET; THENCE S02°00'45"E FOR A DISTANCE OF 497.24 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES N05°56'40"E, A RADIAL DISTANCE OF 1,450.61 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°21'14", A DISTANCE OF 34.28 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S05°11'31"W, A RADIAL DISTANCE OF 3,950.44 FEET;

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SKETCH AND LEGAL DESCRIPTION FOR PARCEL "D"

DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-07	JP	N/A	0510-00050-004	3 OF 6

EXHIBIT "A"

LEGAL DESCRIPTION

THENCE EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°36'38", A DISTANCE OF 42.09 FEET TO A POINT OF NON-TANGENCY WITH A CURVE TO WHICH THE RADIUS POINT LIES N06°57'09"E, A RADIAL DISTANCE OF 3,026.11 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 07°44'05", A DISTANCE OF 408.50 FEET TO A POINT OF COMPOUND CURVATURE, WITH A CURVE HAVING A RADIUS OF 820.00 FEET AND A CENTRAL ANGLE OF 01°13'49"; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 17.61 FEET; THENCE N87°59'15"E FOR A DISTANCE OF 107.96 FEET; THENCE S02°00'45"E FOR A DISTANCE OF 15.00 FEET; THENCE S87°59'15"W FOR A DISTANCE OF 119.04 FEET TO A POINT OF TANGENCY, WITH A CURVE TO THE LEFT HAVING A RADIUS OF 1,020.00 FEET AND A CENTRAL ANGLE OF 03°57'10"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 70.37 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S04°27'04"E, A RADIAL DISTANCE OF 3,026.11 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°31'34", A DISTANCE OF 344.70 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES N09°45'42"W, A RADIAL DISTANCE OF 6,920.40 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°20'55", A DISTANCE OF 42.10 FEET; THENCE S80°40'35"W FOR A DISTANCE OF 34.28 FEET; THENCE S02°00'45"E FOR A DISTANCE OF 497.70 FEET TO THE POINT OF BEGINNING. CONTAINING 678,483.02 SQ. FT. AND/OR 15.58 ACRES MORE OR LESS.

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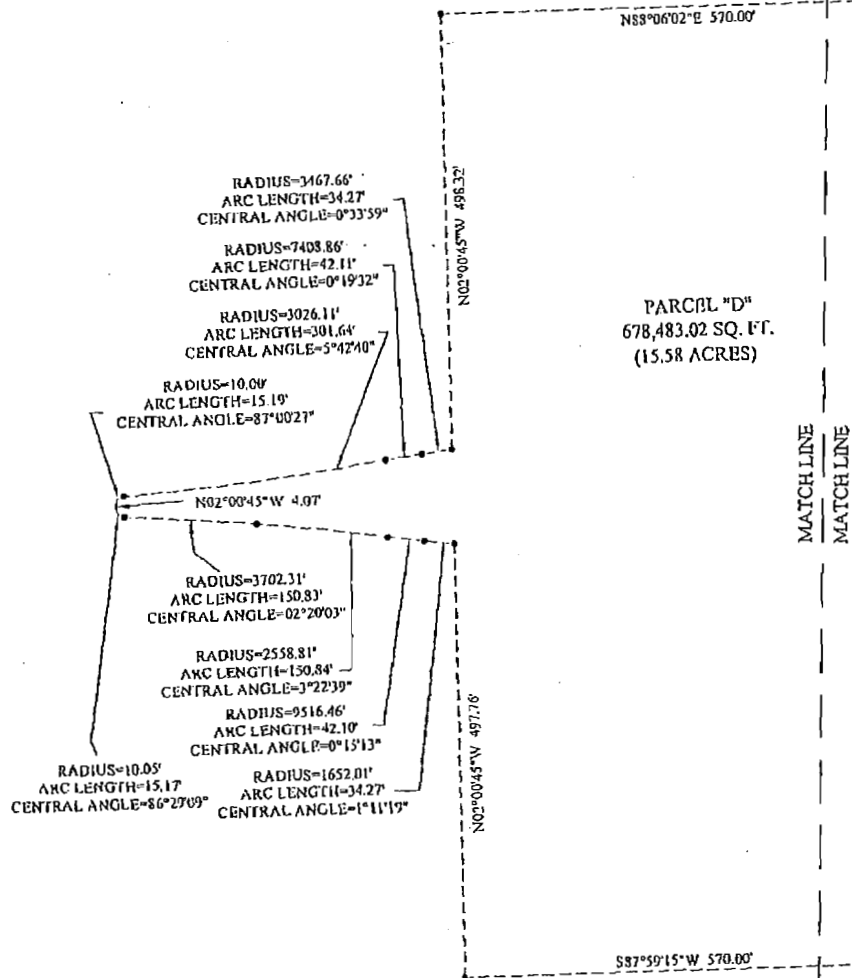
SKETCH AND LEGAL DESCRIPTION FOR PARCEL "D"

DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-07	JP	N/A	0510-00050-004	4 OF 6

EXHIBIT "A"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

NORTH



P(3)SM, L.L.C.

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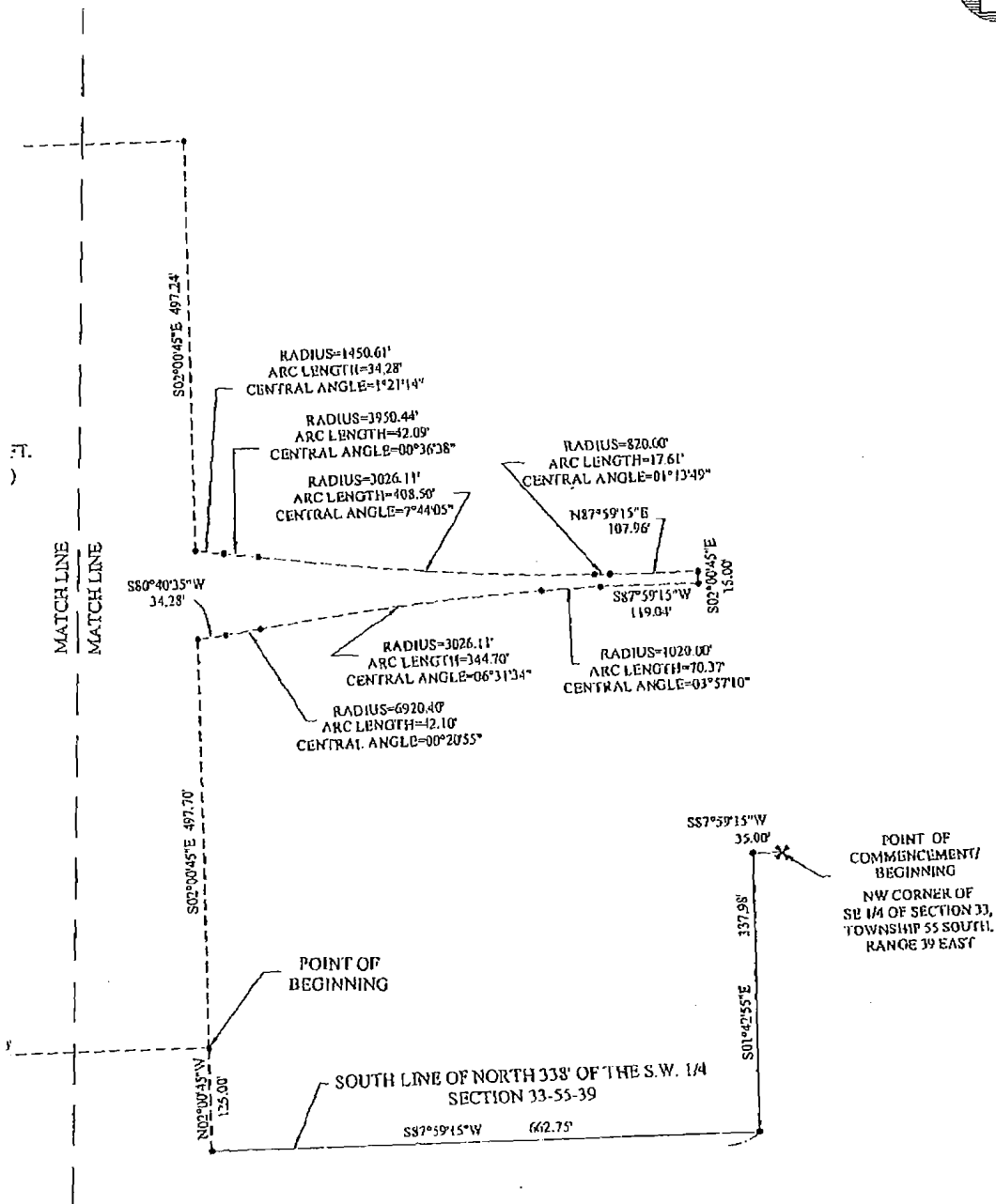
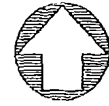
SKETCH AND LEGAL DESCRIPTION FOR PARCEL "D"

DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-07	JP	1" = 200'	0510-00050-004	5 of 6

EXHIBIT "A"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

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SKETCH AND LEGAL DESCRIPTION FOR PARCEL "D"

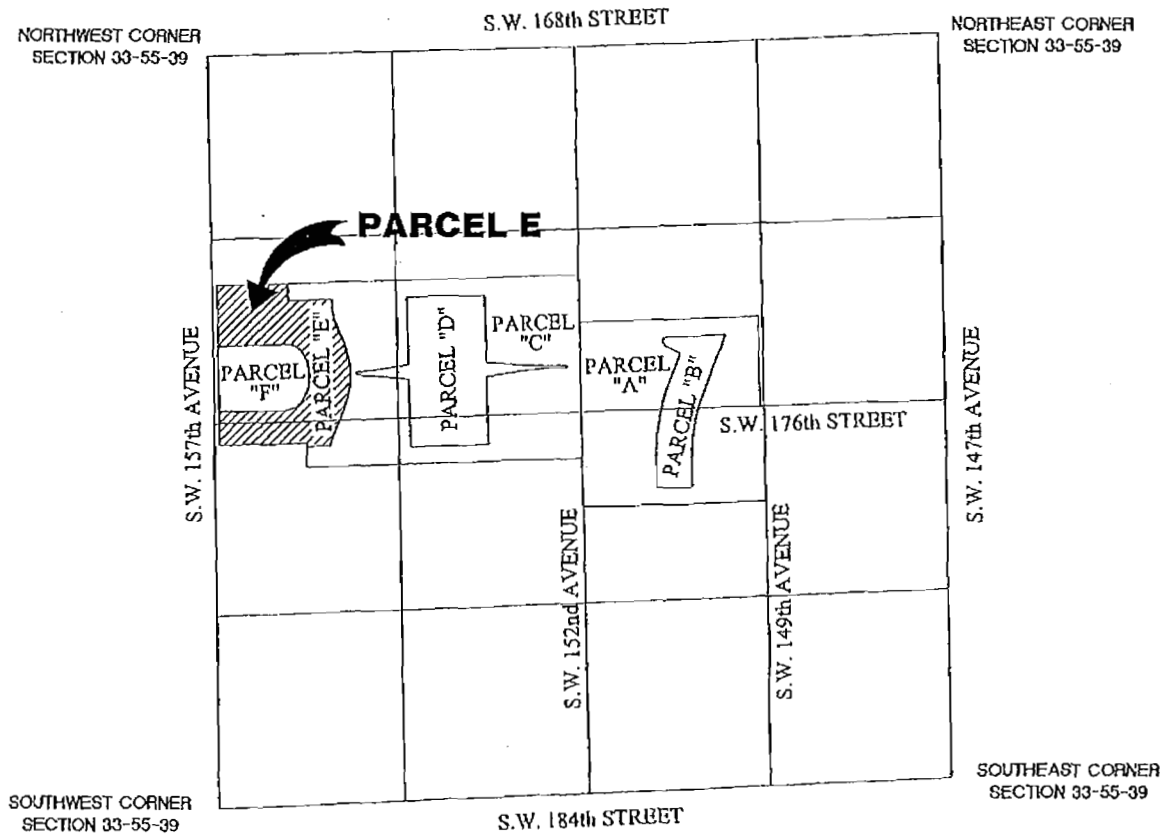
DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-07	JP	1" = 200'	0510-00050-004	6 of 6

EXHIBIT "A"

LOCATION MAP

A PORTION OF
SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST
MIAMI-DADE COUNTY, FLORIDA
(NOT TO SCALE)

NORTH



P(3)SM, L.L.C.

L.B. No. 7335

PROFESSIONAL SURVEYORS & MAPPERS

3900 N.W. 79th AVENUE, SUITE #235 DORAL, FLORIDA 33166 PHONE:(305) 463-0912 FAX:(305) 463-0913

SKETCH AND LEGAL DESCRIPTION FOR PARCEL "E"

DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-07	JP	N/A	0510-00050-004	1 of 6

EXHIBIT "A"

SURVEYOR'S NOTES AND CERTIFICATE

- 1) This is not a Boundary Survey, but only a GRAPHIC DEPICTION of the description shown hereon.
- 2) North arrow direction and bearing shown hereon are based on an assumed meridian of N 01°26'20" W, along the centerline of S.W. 152nd AVENUE.
- 3) Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
- 4) There may be additional restrictions not shown on this Sketch & Legal that may be found in the Public Records of this County. Examination of the ABSTRACT OF TITLE will have to be made to determine recorded instruments, if any affecting this property.
- 5) No title research has been performed to determine if there are any conflict existing or arising out of the creation of the easements, Right-of-Ways, Parcel Descriptions, or any other type of encumbrances that the herein described legal may be utilized for.
- 6) The intent of this description is to create a legal description.

SURVEYOR'S CERTIFICATE:

I hereby certify to the best of my knowledge and belief that this drawing is a true and correct representation of the SKETCH AND LEGAL DESCRIPTION, of the real property described hereon.

I further certify that this survey was prepared in accordance with the applicable provisions of Chapter 61G17-6 Florida Administrative Code.

Date: APRIL 12, 2007

EDUARDO M. SUAREZ, P.S.M.
Professional Surveyor and Mapper
State of Florida, Registration No. 6313

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EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL "E"

COMMENCING AT THE NW CORNER OF THE SE 1/4 OF SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST; THENCE S87°59'15"W FOR A DISTANCE OF 35.00 FEET; THENCE S01°42'55"E, ALONG A LINE 35.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SW 1/4 OF SAID SECTION 33, FOR A DISTANCE OF 337.98 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 338.00 FEET OF THE SW 1/4 OF SAID SECTION 33; THENCE S87°59'15"W, ALONG THE SOUTH LINE OF THE NORTH 338.00 FEET OF THE SW 1/4 OF SAID SECTION 33, FOR A DISTANCE OF 1,823.61 FEET; THENCE N02°00'45"W FOR A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING; THENCE S87°59'15"W FOR A DISTANCE OF 173.36 FEET; THENCE N01°24'49"W FOR A DISTANCE OF 27.23 FEET; THENCE S87°59'15"W FOR A DISTANCE OF 641.40 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF S.W. 157th AVENUE; THENCE N01°40'01"W, ALONG THE EASTERLY RIGHT-OF-WAY OF S.W. 157th AVENUE, FOR A DISTANCE OF 249.44 FEET; THENCE N87°59'15"E FOR A DISTANCE OF 494.91 FEET TO A POINT OF TANGENCY, WITH A CURVE TO THE LEFT HAVING A RADIUS OF 155.00 FEET AND A CENTRAL ANGLE OF 64°14'44"; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 173.80 FEET, TO A POINT OF COMPOUND CURVATURE, WITH A CURVE HAVING A RADIUS OF 775.16 FEET AND A CENTRAL ANGLE OF 02°24'56"; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 32.68 FEET TO A POINT OF COMPOUND CURVATURE, WITH A CURVE HAVING A RADIUS OF 335.00 FEET AND A CENTRAL ANGLE OF 23°20'19"; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 136.46 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S87°15'46"W, A RADIAL DISTANCE OF 356.23 FEET; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 23°11'49", A DISTANCE OF 144.22 FEET TO A POINT OF COMPOUND CURVATURE, WITH A CURVE HAVING A RADIUS OF 155.00 FEET AND A CENTRAL ANGLE OF 66°04'42"; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 178.76 FEET; THENCE S87°59'15"W FOR A DISTANCE OF 500.33 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF S.W. 157th AVENUE; THENCE N01°40'01"W, ALONG THE EASTERLY RIGHT-OF-WAY OF S.W. 157th AVENUE, FOR A DISTANCE OF 448.05 FEET, TO A POINT ON THE SOUTHERN PLAT LIMITS OF "KESSLER GROVE SECTION FOUR" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 150 AT PAGE 38 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE N88°06'32"E ALONG THE SOUTHERN PLAT LIMITS OF THE AFOREMENTIONED PLAT, FOR A DISTANCE OF 499.00 FEET; THENCE N88°06'10"E ALONG THE SOUTHERN LIMITS OF THE AFOREMENTIONED PLAT FOR A DISTANCE OF 25.00 FEET; THENCE S01°40'01"E FOR A DISTANCE OF 125.00 FEET; THENCE N88°06'32"E FOR A DISTANCE OF 319.05 FEET; THENCE S02°00'45"E FOR A DISTANCE OF 73.26 FEET TO A POINT OF TANGENCY, WITH A CURVE TO THE LEFT HAVING A RADIUS OF 125.00 FEET AND A CENTRAL ANGLE OF 10°36'55"; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 23.16 FEET TO A POINT OF COMPOUND CURVATURE, WITH A CURVE HAVING A RADIUS OF 610.05 FEET AND A CENTRAL ANGLE OF 14°34'01"; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 155.10 FEET TO A POINT OF NON-TANGENCY, AND THE BEGINNING OF A CURVE TO WHICH THE RADIUS POINT LIES S63°31'29"W, A RADIAL DISTANCE OF 1,044.26 FEET; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 13°55'03", A DISTANCE OF 253.66 FEET TO A POINT OF COMPOUND CURVATURE, WITH A CURVE HAVING A RADIUS OF 75.00 FEET AND A CENTRAL ANGLE OF 08°11'37"; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 10.73 FEET; THENCE S04°21'52"E FOR A DISTANCE OF 57.96 FEET;

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L.B. No. 7335

SKETCH AND LEGAL DESCRIPTION FOR PARCEL "E"

DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-12-07	JP	N/A	0510-00050-004	3 of 6

EXHIBIT "A"

LEGAL DESCRIPTION

THENCE S00°20'22"W FOR A DISTANCE OF 57.96 FEET TO A POINT OF TANGENCY, WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 75.00 FEET AND A CENTRAL ANGLE OF 08°11'37"; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 10.73 FEET TO A POINT OF COMPOUND CURVATURE, WITH A CURVE HAVING A RADIUS OF 1,044.26 FEET AND A CENTRAL ANGLE OF 15°28'47"; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 282.13 FEET TO A POINT OF REVERSE CURVATURE, WITH A CURVE HAVING A RADIUS OF 975.00 FEET AND A CENTRAL ANGLE OF 02°57'02"; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 50.21 FEET TO A POINT OF COMPOUND CURVATURE, WITH A CURVE HAVING A RADIUS OF 12,689.01 FEET AND A CENTRAL ANGLE OF 00°31'01"; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 114.51 FEET TO A POINT OF COMPOUND CURVATURE, WITH A CURVE HAVING A RADIUS OF 225.00 FEET AND A CENTRAL ANGLE OF 05°24'41"; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 21.25 FEET; THENCE S02°00'45"E FOR A DISTANCE OF 19.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 721,310.00 SQ. FT. AND/OR 16.56 ACRES MORE OR LESS.

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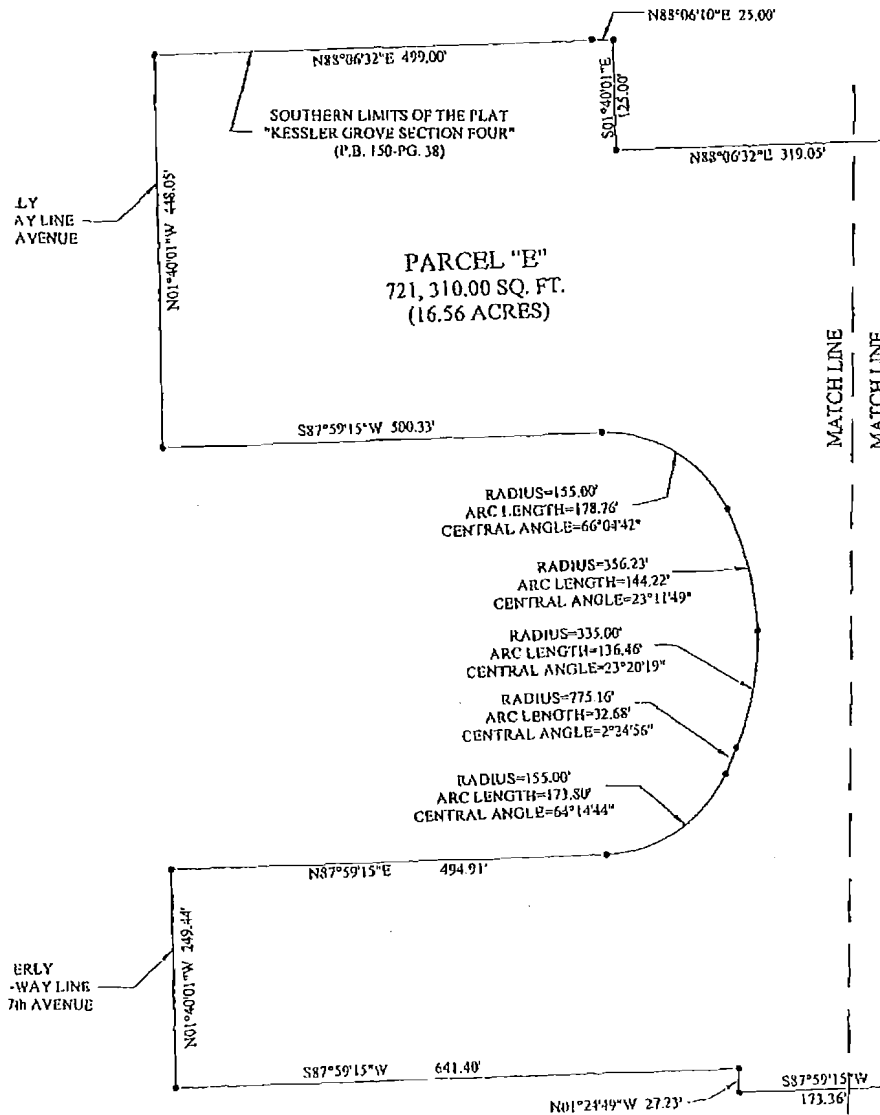
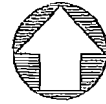
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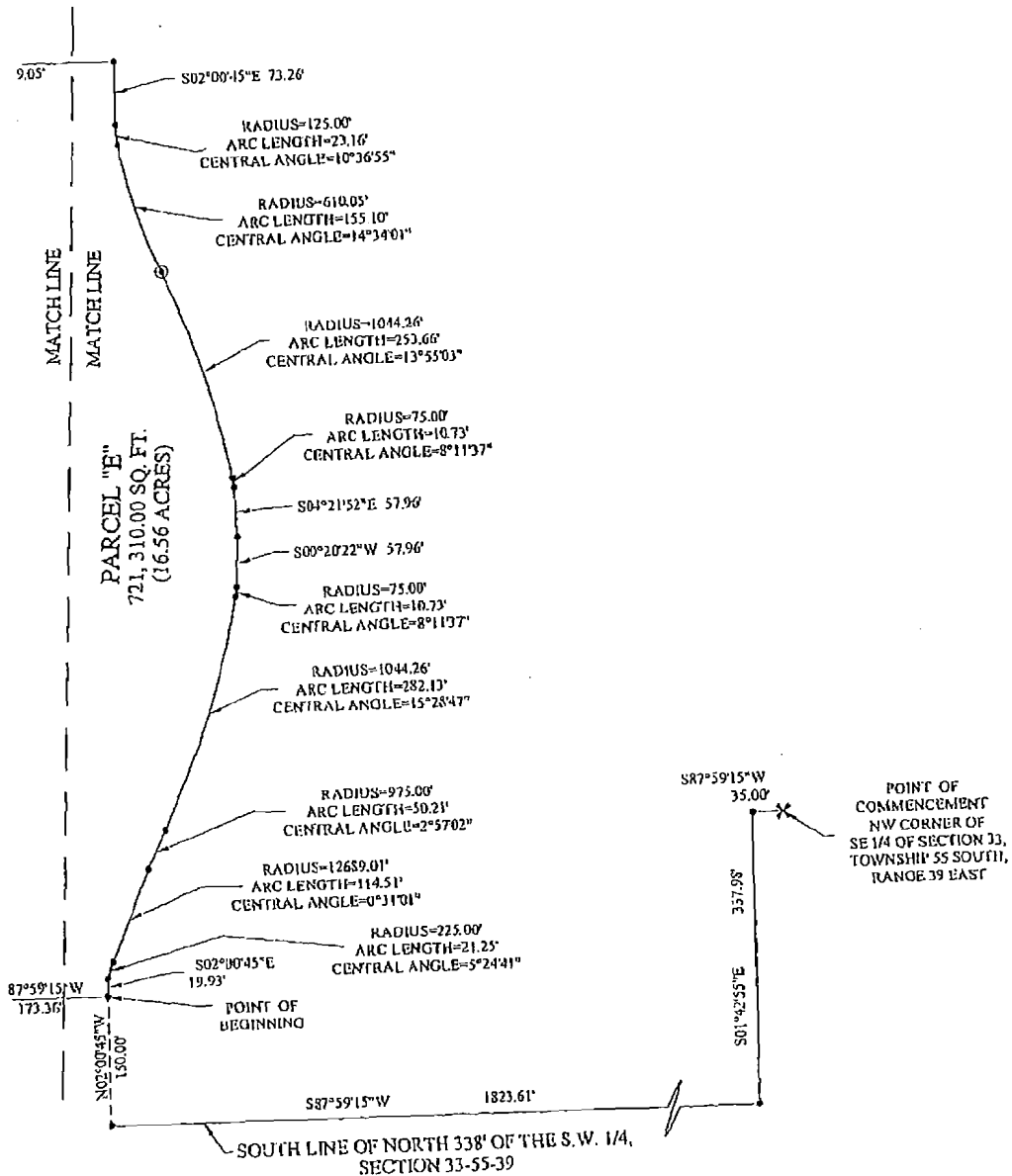
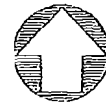
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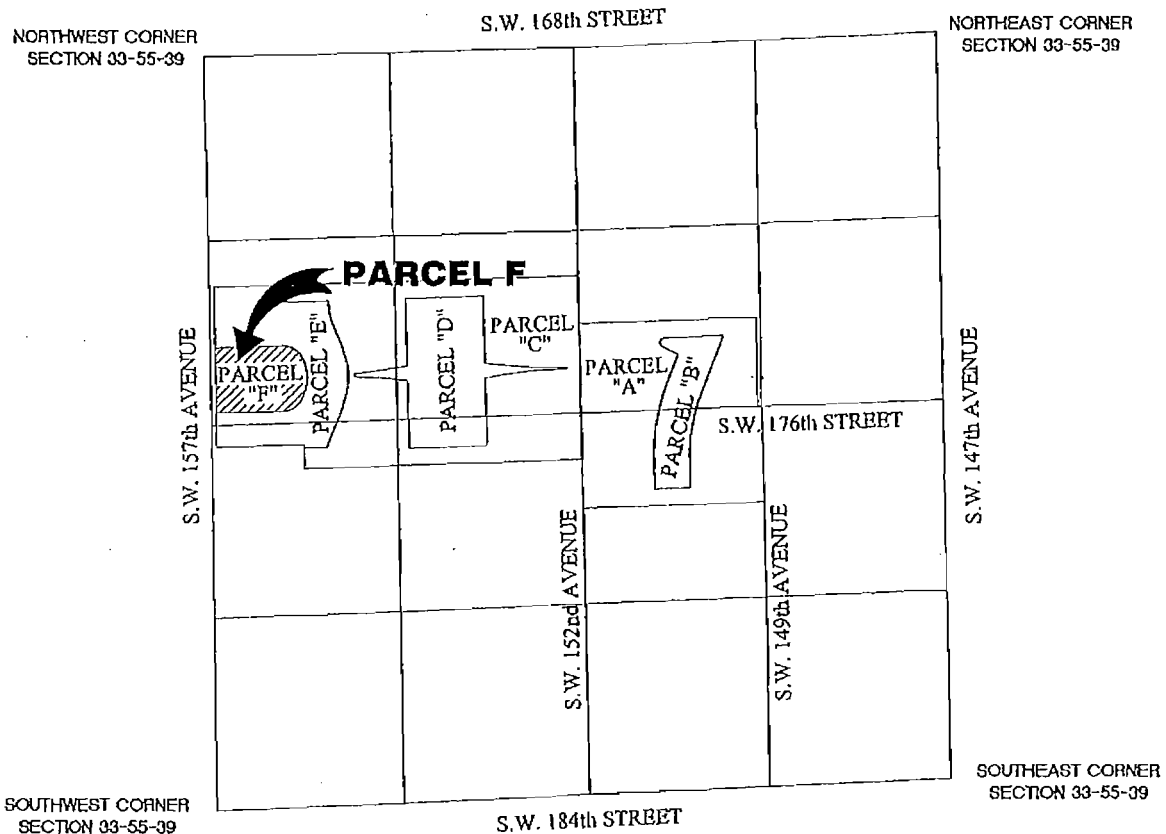
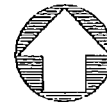
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EXHIBIT "A"

LOCATION MAP

A PORTION OF
SECTION 33, TOWNSHIP 55 SOUTH, RANGE 39 EAST
MIAMI-DADE COUNTY, FLORIDA
(NOT TO SCALE)

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SKETCH AND LEGAL DESCRIPTION FOR PARCEL "F"

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I further certify that this survey was prepared in accordance with the applicable provisions of Chapter 61G17-6 Florida Administrative Code.

Date: April 12, 2007

EDUARDO M. SUAREZ, P.S.M.
Professional Surveyor and Mapper
State of Florida. Registration No. 6313

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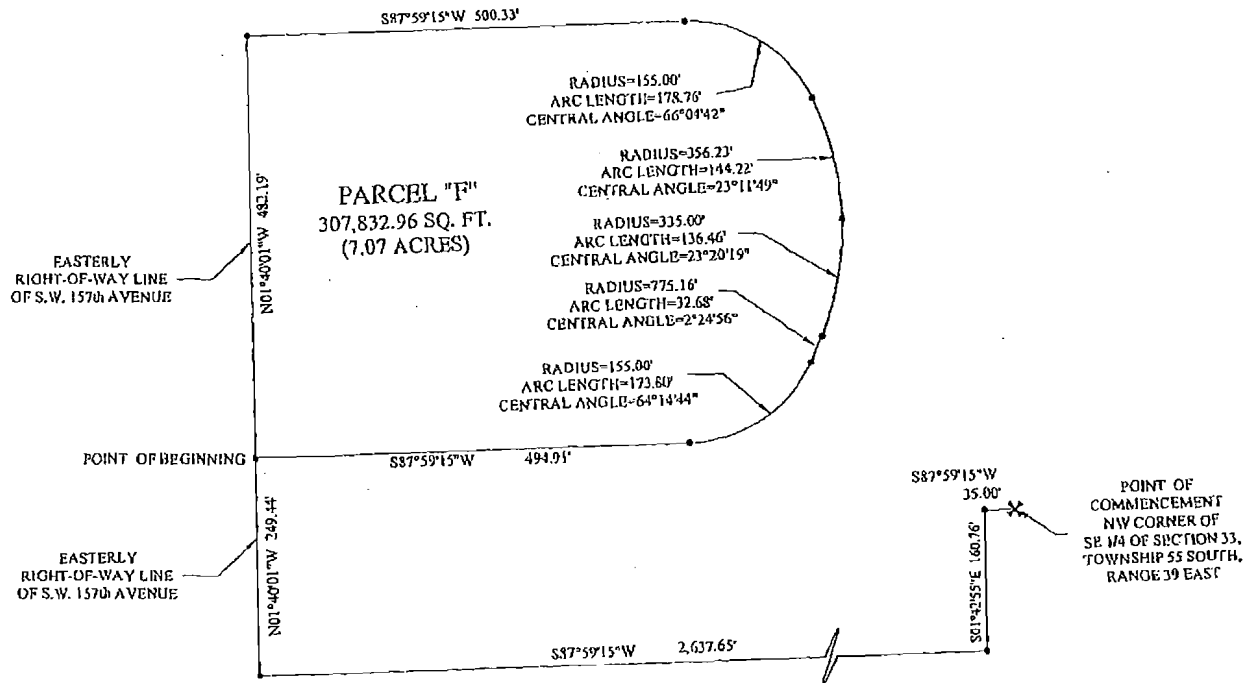
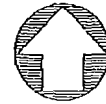
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